



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, parnaple centre, 137 Rooke Street Devonport, on Monday 26 April 2021, commencing at 5:30PM.

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

QUALIFIED PERSONS

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

Matthew Atkins
GENERAL MANAGER

21/04/2021

May 2021

Meeting	Date	Commencement Time
Ordinary Council Meeting	24 May 2021	5:30pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 26 APRIL 2021, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137
ROOKE STREET DEVONPORT AT 5:30PM**

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ATTENDEES

		Apology
Chair	Cr A Rockliff (Mayor)	
	Cr A Jarman (Deputy Mayor)	
	Cr J Alexiou	
	Cr G Enniss	
	Cr P Hollister	
	Cr L Laycock	
	Cr S Milbourne	
	Cr L Murphy	
	Cr L Perry	

ACKNOWLEDGEMENT OF COUNTRY

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

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Digital Recording Policy. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months. The meeting will also be live streamed on Council's YouTube channel.

1 APOLOGIES

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 CONFIRMATION OF MINUTES - 22 MARCH 2021

RECOMMENDATION

That the minutes of the Council meeting held on 22 March 2021 as previously circulated be confirmed.

3.2 PUBLIC QUESTION TIME

PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 20/90 refers):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (meeting Procedures) Regulations 2015*.
2. Public participation will be the first agenda item following the formal motions: Apologies, Minutes and Declarations of Interest.
3. Questions without notice will be dependent on available time at the meeting (with a period of 30 minutes set aside at each meeting).
4. A member of the public who wishes to ask a question at the meeting is to state their name and address prior to asking their question.
5. A maximum of 3 questions per person are permitted.
6. A maximum period of 5 minutes will be allowed per person.
7. Questions are to be succinct and not contain lengthy preamble.
8. To allow opportunity, where necessary to research answers and limit questions taken on notice, a copy of any questions without notice, where possible, are to be provided by email or in person to Council by 12 noon on the day of the meeting.
9. A question by any member of the public and an answer to that question are not to be debated.
10. Questions without notice and their answers will be recorded in the minutes.
11. The Chairperson may take a question on notice in cases where the questions raised at the meeting require further research or clarification, or where a written response is specifically requested.
12. Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.
13. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so in accordance with the Public Question Time Policy.

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That the responses to questions from Mr Christopher Mills, Mr Rodney Russell and Mr Bob Vellacott at the March 2021 Council meeting be noted.

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

1. Response to Question Without Notice - 22 March 2021 - C Mills [**3.2.1.1** - 1 page]
2. Response to Question Without Notice - 22 March 2021 - R Russell [**3.2.1.2** - 1 page]
3. Response to Questions Without Notice - 22 March 2021 - Mr B Vellacott [**3.2.1.3** - 2 pages]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

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

RECOMMENDATION

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

Mr John Bindon – 66 David Street, East Devonport

A letter containing questions on notice received from Mr John Bindon on 14 April 2021 is **reproduced as attachment 1**.

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

- Q1** Will council revisit this matter in consideration of the points listed in appendix 1 (attached)?
- Q2** 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?
- Q3** If 'yes' to both (1) and (2) above, will Council refer the chosen name to the Tasmanian Place Names Advisory Panel for assessment?
- Q4** If 'yes' to all of (1) and (2) and (3) above, will Council proceed to install signage?

Response

Thank you for your questions and also your earlier letter dated 25 February 2021 regarding David Street, East Devonport. As a result of your February letter, David Street was listed on the next available workshop agenda on 12 April.

At this workshop, Councillors reconsidered the previous decision to not support changing the name of David Street in light of the concerns you raise in your most recent letter.

On balance, Council were of the view that the original decision was appropriate and do not intend to revisit the matter. As per previous correspondence Council does intend to upgrade street signage by adding property numbers to the street signs in the respective sections of David Street and ensuring No Through Road signage is installed in accordance with current standards.

Mr Chris Mills – 52 Caroline Street, East Devonport

A letter containing questions on notice received from Mr Christopher Mills on 14 April 2021 is **reproduced as attachment 2**.

- Q1** 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?

Response

The Elected Council is responsible for all matters relating to the General Manager's employment.

Q2 Can Mr Atkins confirm that the General Manger did by means of a series of internal emails, the first of which was dated 9 April 2020, came to an understanding with Councillors and 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?

Response

No, relevant information has not been withheld.

Mr Malcolm Gardam – 4 Beaumont Drive, Miandetta

A letter containing questions on notice received from Mr Malcolm Gardam on 16 April 2021 is **reproduced as attachment 3**

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?

Response

No

- 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?

Response

N/A

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?

Response

Island State Brewing will be undertaking a significant amount of work within tenancies 3 & 6 to establish their business. These works will be undertaken in accordance with the lease terms applicable for Providore Place tenants (previously approved by Council in open session).

The commercial arrangements of the lease agreement with Island State Brewing are commercial in confidence and cannot be disclosed.

Council has previously confirmed the commercial terms of the lease are in accordance with market valuation.

Mr Bob Vellacott – 11 Cocker Place, Devonport

A letter containing questions on notice regarding feral pigeons, received from Mr Bob Vellacott on 17 April 2021 is **reproduced as attachment 4**

Q1 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?

Response

Council welcomes your suggestion and will write to the Director of Public Health.

A letter containing questions on notice received from Mr Bob Vellacott on 17 April 2021 is **reproduced as attachment 5**

Q1 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?

Response

Income generated by Providore Place will be reported as part of the 21/22 budget process.

Q2 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?

Q3 Has council obtained a firm quote for the proposed light and sound show?

Q4 As of this date what is the estimated ongoing annual cost for the proposed \$3Million light and sound show?

Response

The Sound and Light show remains at a concept phase, whilst funding is being sourced. Assumptions in relation to cost are, at this stage pre construction estimates only, with the project being scalable depending on available budget. All relevant information in relation to the current status of the Sound and Light Show can be found on the LIVING CITY website.

A letter containing questions on notice received from Mr Bob Vellacott on 17 April 2021 is **reproduced as attachment 6**

Q1 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?

Response

Council's response in relation to your previous questions on this matter are reproduced in the Council agenda and are publicly available. Council does not intend to make any further statements.

ATTACHMENTS

1. Question on Notice - Renaming of David Street - John Bindon [**3.2.2.1** - 2 pages]
2. Questions on Notice - C Mills - April 2021 [**3.2.2.2** - 1 page]
3. Questions on Notice - M Gardam - April 2021 [**3.2.2.3** - 2 pages]
4. Questions on Notice - B Vellacott - April 2021 [**3.2.2.4** - 3 pages]
5. Questions on Notice - B Vellacott - April 2021 - Providore Place and Sound and Light Show [**3.2.2.5** - 1 page]
6. Questions on Notice - B Vellacott - April 2021 - Flammable Substances [**3.2.2.6** - 2 pages]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

3.4 NOTICES OF MOTION

Nil

4 PLANNING AUTHORITY MATTERS

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

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

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

4.1 LAND USE PLANNING AND APPROVALS ACT 1993 - UPDATED DELEGATIONS

Author: **Claire Jordan, Governance Officer**
Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council, acting as a Planning Authority, receive and note the report relating to the provision of planning delegations and determine, in accordance with section 6 of the *Land Use Planning and Approvals Act 1993* ("the Act"), that delegations are provided as outlined in the attachment to the:

- General Manager
- Deputy General Manager and Development Services Manager
- Land Use Planning Coordinator
- Senior Planning Officer, Planning Officer and Project Officer

or any person acting in these positions, with immediate effect.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|---|
| Strategy 2.1.2 | Provide consistent and responsive development assessment and compliance processes |
| Strategy 5.3.1 | Review and amend structures, policies and procedures to adapt to changing circumstances |

SUMMARY

This report is provided for Council, in its role as a Planning Authority under the *Land Use Planning and Approvals Act 1993* (the Act).

BACKGROUND

Delegations under the Act have previously been issued to prescribed staff. A recent review of the Act was focused on sections of the Act that no longer require delegation as they were transitional elements relating to former provisions of the Act that were applicable prior to the Tasmanian Planning Scheme coming into effect. The commencement of the Tasmanian Planning Scheme (including the Devonport Local Provisions Schedule) in the Devonport local government area means that some previous sections of the Act are now redundant to the Planning Authority (and prescribed staff) in respect of application and therefore delegation. Accordingly, there is a need to ensure that delegations are updated to reflect the current provisions of the Act.

STATUTORY REQUIREMENTS

The *Land Use Planning and Approvals Act 1993* provides authority for the Planning Authority (Council) to delegate powers and functions under the Act.

Section 6 of the Act stipulates:

- (3) "A planning authority may, by resolution, delegate any of its functions or powers under this Act other than this power of delegation to a person employed by the authority".

DISCUSSION

As outlined in the *Act*, the Planning Authority may delegate any of its powers and functions.

The purpose of delegations to appropriately qualified and experienced employees is to ensure that planning services are delivered in a timely and efficient manner.

A recent review, which focused primarily on transitional sections of the *Act* that are now redundant to Council from a delegations perspective, due to the Tasmanian Planning Scheme coming into effect for the Devonport local government area in November 2020, and recent updates to the *Act* in October 2020, identified that updated delegations were required. This will ensure Council's planning obligations continue to be functionally and efficiently undertaken, and that appropriate oversight and authorisation by the General Manager and the Planning Authority occurs.

The updated delegations will have no material impact on how applications are currently assessed but rather will ensure diligent statutory compliance.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

- Legal Compliance
Failure to provide appropriate delegations to employees may result in Council being exposed to challenge, if a Council Officer undertake a function or makes a decision that they are not authorised under delegated authority to do so. It is imperative that delegations are issued to appropriately qualified and experienced staff, to ensure Council's planning functions do not become time consuming, onerous and potentially unworkable from a community (applicant) perspective.

CONCLUSION

The adoption of the *Land Use Planning and Approvals Act 1993* delegations (as attached) is recommended.

ATTACHMENTS

1. LUPAA - April 2021 [**4.1.1** - 9 pages]

5 REPORTS

5.1 DON CONGREGATIONAL CEMETERY MASTER PLAN 2022-2032

Author: **Carol Bryant, Executive Officer**

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

RECOMMENDATION

That Council receive and note the report relating to the draft Don Congregational Cemetery Master Plan 2022-2032 and release the Master Plan for a 30-day public consultation period.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

To present the draft Don Congregational Cemetery Master Plan 2022-2032 to Council for endorsement for public consultation.

BACKGROUND

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.

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 Tasmania. At rest in this historic location are many of the Don Pioneers, many of whom were the original pioneers of the City of Devonport and its surrounding district.

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 from 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.

STATUTORY REQUIREMENTS

There are no specific statutory requirements relating to this report.

DISCUSSION

Development of this Master Plan has involved:

1. Consultation with the general community in the form of an online and print survey (90 submission were received).
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.

Consultation Outcomes

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. Full survey results are attached.

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.

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% of respondents have never visited.
- 60.0% of 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.

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 include:

- | | |
|--|--------|
| • Heritage value | 92.22% |
| • Interpretive / historical signage | 76.67% |
| • Appearance / look and feel | 75.56% |
| • Welcome and directional signage including plan of gravesites | 75.56% |
| • Walkways and roads to access plots | 62.22% |
| • Landscaping / gardens / trees | 57.78% |
| • Parking | 36.67% |
| • Seating | 36.67% |
| • Shelter | 26.67% |

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.

Master Plan Principles and Actions

The key principles and actions outlined in the Master Plan include:

1. Conserving Heritage Values
 - Develop and promote information regarding plot restoration and maintenance.
 - Encourage the community to be involved in the cemetery's maintenance and development.
 - Promote historical significance and improve interpretive elements of the cemetery.
2. Improving Access
 - 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.
 - Develop a site access plan that caters for pedestrians and vehicles.
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 visitation driver is expected to decline over the long term. Other visitors also attend the site to see, understand, and research heritage and historical elements, as well as the design/architecture of the specific location. 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.

COMMUNITY ENGAGEMENT

The Devonport General Cemetery Plan draws on community comments raised through a survey as outlined above.

It is proposed that a further 30-day public consultation period is undertaken to gather additional community feedback in relation to the draft Master Plan that has been developed.

FINANCIAL IMPLICATIONS

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 strong potential to assist with delivering the Master Plan outcomes. 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. Consideration of funding to progress the action plan will be required as part of Council's budgetary process on an annual basis.

RISK IMPLICATIONS

- Asset & Property Infrastructure
-

Under the Tasmanian *Burial and Cremation Amendment Act 2019*, Council, as the Cemetery manager is responsible for providing public access to cemeteries and undertaking 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. The Master Plan will assist Council to meet its legal duties and obligations under the Act whilst also preserving shared historical cemetery assets and infrastructure.

- Consultation and/or Communication
Given the local community interest in improving the General Cemetery, the community would likely have an expectation that Council delivers a plan reflective of shared concerns and ideas for improvement. There is a low reputational risk that not having a Master Plan may signal to interested community members that investment in historical cemeteries is a low priority of Council.

CONCLUSION

The development of the Don Congregational Cemetery Master Plan 2022-2032 reflects the interest and ideas expressed by cemetery visitors, community members and Council officers aimed at preserving the individual and shared heritage value of the Cemetery, while sustainability operating the site for current and future community needs. Three guiding principles with seven actions have been suggested to progress the Plans' objectives. Further community feedback is required to gather additional views and/or concerns in relation to the proposed direction.

ATTACHMENTS

1. Congregational Cemetery Survey Responses [**5.1.1** - 15 pages]
2. Congregational Cemetery Master Plan 2022-2032 Draft [**5.1.2** - 14 pages]

5.2 TENDER REPORT CONTRACT 1340 PCS & SERVICES

Author: **Shannon Eade, Project Management Officer**

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

RECOMMENDATION

That Council, in relation to Contract 1340 PCs & Services:

- a) award the contract to Intuit Technologies for the sum of \$294,690 (ex GST) for a 3-year lease term; and
- b) note that decommissioning of current fleet and installation of new fleet for the project are estimated to cost \$24,000 and are included in the total.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.1 Provide efficient, effective and secure information management services that support Council's operations

SUMMARY

This report seeks Council's approval to award Contract 1340 PCs & Services to Intuit Technologies.

BACKGROUND

This report considers tenders received for "Supply and Delivery of PCs & Services" contained within the 2021/22 expenditure budget.

This project involves the selection, lease and deployment of new PCs for Council employees.

Council replaced employee's PCs in 2018 and transitioned to a 3 year lease refresh interval. The average life span of PCs is 3 years depending on a number of conditions to include level of utilisation and usage requirements. During this 3-year period, Council has initiated a large programme of digital transformation initiatives with a focus on Cloud services and mobility. Employees were able to benefit from this strategy particularly during COVID-19 and the requirement for remote work.

Given Council's extensive use of Cloud hosted services and the increased access to those services by Councillors, a replacement of Councillor iPads with Laptops is included in this tender.

The Total Cost of Ownership (TCO) of PCs is determined by the sum of the acquisition, implementation, management, support, use costs and the eventual decommission of technology. TCO acknowledges that purchase price is only one component, and often a very small component, of the cost of a device throughout its lifecycle. Council IT have a rigorous hardware management discipline in place to ensure TCO is minimised throughout the life of the PC.

Beyond 4 years, the annual operating cost of the PC will typically exceed the 4-year depreciation on a replacement, therefore 3 years is the optimal refresh period.

A tender process for replacement PCs was initiated in March 2021. Vendors have noted that the supply chain has been impacted by COVID-19 resulting in longer lead times for delivery. The current lease concludes on 1 September 2021. This report is seeking approval from Council to award the tender to the preferred vendor in April 2021 to meet the current lease termination deadline.

STATUTORY REQUIREMENTS

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

DISCUSSION

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

Tenders were received from four companies. Two tenders received were conforming submissions. Another IT Group & ASI Solutions submitted nonconforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Intuit Technologies	Conforming	\$294,690
2	Winc Australia Pty Ltd	Conforming	\$298,675
3	ASI Solutions	Nonconforming	N/A
4	Another IT Group	Nonconforming	N/A

As highlighted in the above table, Intuit Technologies' tender of \$294,690 is the lowest price. The Tender Planning and Evaluation Committee has considered the tenders against each of the selection criteria, these being:

- Specification of equipment build quality, software, services, timely communication and support from supplier
- Price

The evaluation by the committee indicates that Intuit Technologies scored highest overall against the selection criteria and therefore offers Council the best value for money.

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

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 6 March 2021 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

A tender process has been undertaken in accordance with Council's Purchasing Policy and to ensure Council receives the best possible price for the specifications required.

The draft 2021/22 operating expenditure budget includes an allocation for the leasing of PCs. The budget includes \$24,000 for the decommission and implementation services. The total cost is \$294,690 as shown in table 2.

TABLE 2

No.	Tender	Price (ex GST)
1	Contract 1340 (Leased over a 3 year term)	\$270,690
2	Decommission and Implementation Project Costs	\$24,000
	TOTAL	\$294,690

RISK IMPLICATIONS

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

CONCLUSION

It has been determined that Intuit Technologies meet Council's requirements and is therefore most likely to offer best value in relation to Contract 1340 PCs & Services.

ATTACHMENTS

Nil

5.3 PUBLIC INTEREST DISCLOSURES ACT 2002 - MODEL PROCEDURES - UPDATED

Author: **Claire Jordan, Governance Officer**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council adopt the attached Public Interest Model Procedures dated 30 March 2021, and the Council Whistleblower Policy, with immediate effect.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

To ensure that Council complies with its statutory obligations relating to the *Public Interest Disclosures Act 2002*, Model Procedures are developed in conjunction with the Ombudsman, to assist with, and support the making of, disclosures of corrupt conduct, improper conduct and the taking of detrimental action.

Further, a Whistleblower Policy has been developed, at the recommendation of the Ombudsman, to complement the more detailed Procedures.

BACKGROUND

The main objective of the *Public Interest Disclosures Act 2002* ("the Act") is to encourage and facilitate the making of disclosures of improper or corrupt conduct (or detrimental action) by public officers and public bodies. The Act specifies local government in its definition as a "public body" and employees and councillors as "public officers".

Under Section 38(1)(c) of the Act, the Ombudsman is required to:

"to prepare and publish guidelines and standards for the procedures to be followed by public bodies in relation to –

(i) disclosures under Part 2; and

(ii) investigations under Part 7; and

(iii) the protection of persons from reprisals by public bodies or members, officers or employees of public bodies because of protected disclosures; and

(iv) the application of natural justice to all parties involved in an investigation of a public interest disclosure..."

These Guidelines and standards are critical in supporting the functional operation of the Act. They provide advice as to the making of a disclosure; whether the disclosure is a protected disclosure and therefore covered by the protections of the Act and whether the matter requires investigation, by providing plain English interpretation and examples.

In November 2020, the Ombudsman provided notice to the General Manager that an amended version of the Model Procedures had been finalised, following feedback received by public bodies, and that all large public bodies were required to submit their

procedures for approval. The Ombudsman approved the procedures submitted by Council for review, which are now ready for adoption.

The Model Procedures were last reviewed in August 2017 and re-adopted by Council in September 2017.

Public authorities are further encouraged to implement a Whistleblower Policy, which in conjunction with the Model Procedures, clearly details Council's obligation in respect of disclosures, and provides a concise overview of the disclosure process.

STATUTORY REQUIREMENTS

Council, as a 'public body', as referred to in the *Public Interest Disclosures Act 2002*, is required to comply with its statutory obligations under the *Act*, and to utilise the Model Procedures in order to adhere to the *Act's* provisions and requirements. The adoption of a Whistleblower Policy is not mandatory but considered desirable in order to ensure Council complies with and supports the statutory requirements of the *Act*.

DISCUSSION

The Ombudsman's published Guidelines and Standards are incorporated into the revised Model Procedures for adoption by public bodies.

It is a requirement of the *Act* that:

- Each body establish procedures which comply with the Guidelines and Standards (s60(1));
- That the procedures established are to include procedures for the protection of the welfare of a person making a disclosure (s60(2)); and
- That the public body submit its procedures to the Ombudsman for approval and is to submit its procedures to the Ombudsman at least once in each 3-year period following the initial approval (s60(3)).

The Ombudsman was provided with a copy of the draft Model Procedures and has approved their content for adoption by Council.

The Whistleblower Policy does not require approval of the Ombudsman. The Policy has been developed utilising relevant information available from the Ombudsman and is designed as a supporting document to the mandatory Model Procedures, and the *Act* itself.

COMMUNITY ENGAGEMENT

No community consultation has been undertaken in respect of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

RISK IMPLICATIONS

- Legal Compliance
Council is legislatively bound to comply with the *Act*. Failure to comply with certain sections of the *Public Interest Disclosures Act 2002* constitute an offence, and penalties and/or term of imprisonment for certain activities (including obstructing an investigation undertaken by the Ombudsman or knowingly make a false disclosure or false information as part of an investigation), may apply. Disclosures may relate to criminal activity which may be referred to Tasmania Police for criminal investigation.

CONCLUSION

Council must review and adopt policies and procedural documents to ensure they remain relevant, accurate and that Council is complying with its legislative requirements.

The Model Procedures to be adopted are as issued and endorsed by the Ombudsman.

It is further recommended that the Whistleblower Policy also be adopted, as part of a suite of supporting documentation, demonstrating Council's commitment to public interest disclosures and the reporting of corrupt conduct and misconduct.

ATTACHMENTS

1. Public Interest Disclosure Model Procedures - March 2021 [**5.3.1** - 39 pages]
2. DRAFT - Whistleblower Policy - Council [**5.3.2** - 9 pages]

5.4 BIKE RIDING STRATEGY 2015-2020 - YEAR 5 STATUS UPDATE

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

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

RECOMMENDATION

That Council note the status of actions listed in the Bike Riding Strategy 2015-2020 and note that the Strategy is due to be reviewed and a new action plan developed later in 2021.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|--|
| Strategy 1.4.3 | Lead and actively promote emissions minimisation |
| Strategy 2.3.2 | Provide and maintain roads, bridges, paths and car parks to appropriate standards |
| Strategy 3.2.1 | Support tourism through the provision of well designed and managed infrastructure and facilities |
| Strategy 4.1.3 | Promote passive recreational usage including walking, bike paths, trails, parks and playspaces |

SUMMARY

To report to Council on the progress of the actions outlined in Council's Bike Riding Strategy 2015-2020 (the Strategy).

BACKGROUND

Council first developed and adopted a Cycling Network Strategy in 2010. This Strategy was revised to become the Bike Riding Strategy 2015-2020 and was adopted by Council at its meeting in September 2015 (Min IWC 28/15 refers).

A copy of the Strategy can be found on Council's website at:

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

The objective of the Strategy is to make bike riding more accessible and safer for everyone through promotion, community education and by providing a well-maintained network of bike lanes and paths.

The Strategy action plan identifies the activities to be undertaken to meet the objective. This report provides an update on the progress on those activities.

STATUTORY REQUIREMENTS

There are no statutory requirements relating to this report.

DISCUSSION

The Strategy contains 26 actions. Five actions have been completed and another seven are underway. Ten are ongoing throughout the life of the Strategy. One is yet to commence as it relies on external funding, while the remaining three are 'future' actions to be considered in the next strategy review.

Achievements and progress on identified actions are outlined in the table attached to this report.

Highlights of the progress made in the last year are:

Action 1.2

A link between the local footpath network and the foreshore path has been completed at Drew Street, East Devonport.



Drew Street and Wheeler Street, East Devonport

Action 1.4

A link between Gloucester Avenue and the Coastal Pathway has been completed, providing improved access to the Bass Strait Maritime Centre.



New path link to Gloucester Avenue

Action 3.2

The 4.0km Coastal Pathway link between Latrobe and Ambleside has been completed and officially opened. This project was delivered by Cradle Coast Authority with funding from Federal and State Governments, Devonport City and Latrobe Councils.



Opening of the Latrobe-Ambleside Coastal Pathway

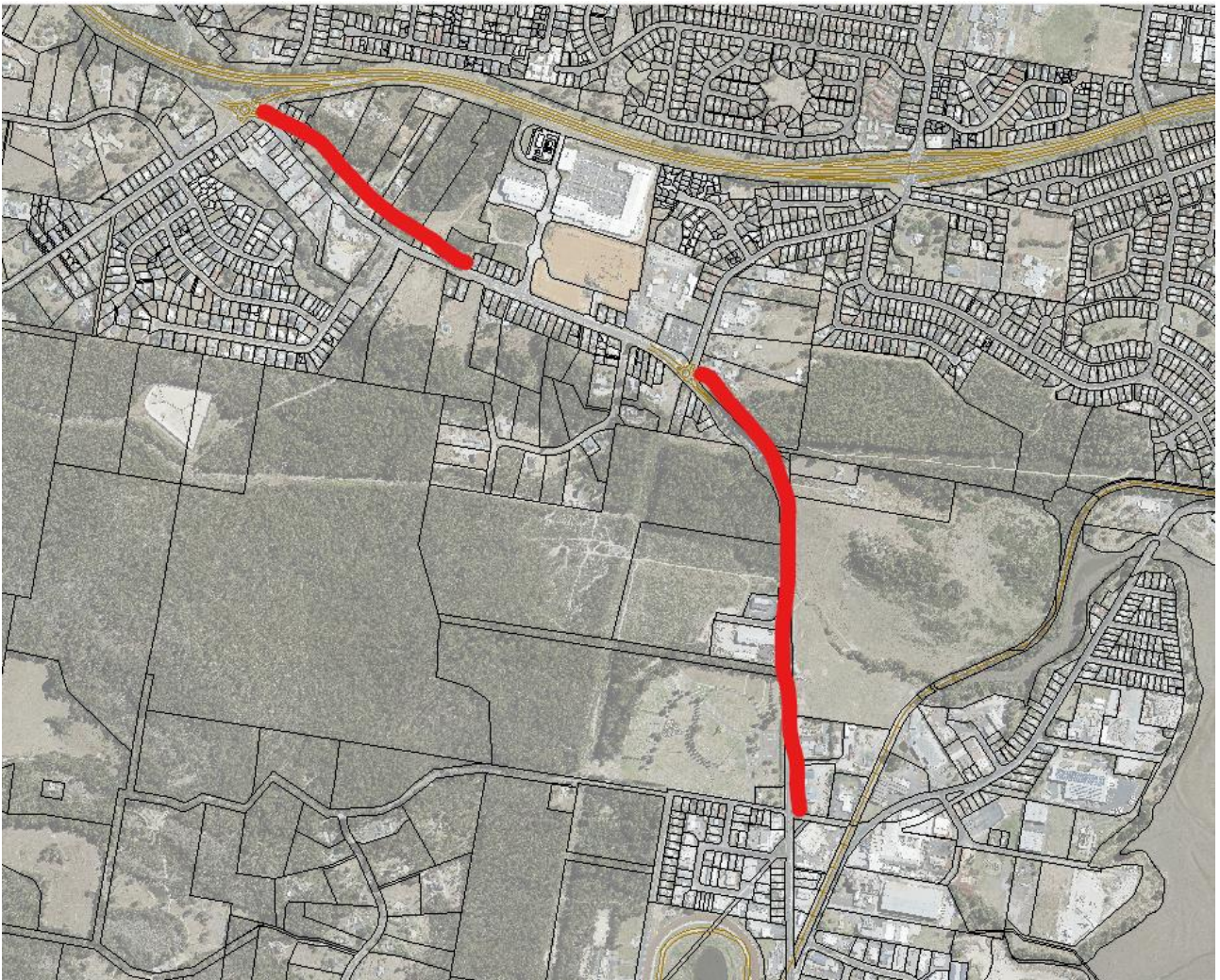
Action 3.4

Following consultation with Councils across Tasmania, the State Government announced a package of 'Cycling Priority Projects' which included two sections of path on Stony Rise Road:

- Leary Avenue to Tugrah Road
- Middle Road to Durkins Road

Council's engineering team have provided concept designs and cost estimates to the Department of State Growth who will deliver the projects in 2021 and 2022 with their consultants and contractors.

These projects will create a 2.8km continuous path on Stony Rise Road and improve access into Kelcey Tier.



New path links to be constructed in 2021 and 2022

Action 8

Construction of the Don to Leith section of the Coastal Pathway is scheduled to commence in 2021. Tenders have been requested for a new bridge over the Don River, with the remaining path section to be tendered later in the year.



New Don River bridge to be constructed in 2021

Action 9

Council has continued to maintain the path network, which saw unprecedented use during the more severe COVID-19 restrictions. 800m of path was renewed in the Don Reserve as part of the 2020-21 Capital Works Program.



Don Reserve path renewal

Action 14

Council staff, assisted by volunteers, undertook bike count surveys at six locations, contributing to the data set that has been collected over 10 years. Rider numbers were

down compared to last year, with this being attributed to the weather on the day and possibly also changing work patterns as the surveys are timed to suit commuter riders.

Anecdotally, bike ownership and recreational bike riding has increased significantly since 2015.

Action 16

Council received a grant from Healthy Tasmania to encourage the Devonport working commuters to get on their bikes and ride to work and enjoy a social breakfast at the commuter Café. Eight Breakfasts were run as part of the program with the first café being held in conjunction with National Ride to Work Day. The sessions were split up into 4 events held in 2020 and 2021. The sessions in 2021 also provided commuters who rode to work a place to have a shower and store their bike for the day. Participation rates were initially impacted by COVID-10 restrictions and then by people continuing to work from home after the restrictions were lifted.



Commuter Café promotion

Action 17

As described under Action 3.4, new paths are to be constructed on Stony Rise Road by the State Government.

Council has allocated \$880,000 of the funding received from the Local Roads and Community Infrastructure (LRCI) Program – Phase Two to upgrading the existing bike lanes on River Road between Bayview Avenue and Ambleside Place to a safer and more suitable path (Min 20/138 refers).



Coastal pathway upgrade to be completed in 2021 – LRCI funded.

The Strategy adopted in 2015 is now due for review. Significant progress has been made on delivering the action plan since 2015, resulting in the strategic objectives of the plan being largely realised.

Since 2015, there have been significant changes (both locally, and globally) in relation to this strategy, that will influence community needs and expectations related to bike riding and active transport into the future. The next revision of the Strategy will have to consider and respond to factors such as:

- Increase in popularity of mountain biking
- Increase in popularity of pump tracks, including the recent construction of 2 in Devonport and several in the region
- Growth in use of e-bikes and other technological innovations
- Changing population demographics
- Post COVID-19 work and recreational trends

COMMUNITY ENGAGEMENT

There was no community engagement undertaken in preparation of this report.

There is a high level of community engagement about bike riding infrastructure. The review of the Strategy will include opportunities for input from the community.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. Actions requiring capital or operational expenditure are to be considered as part of annual budget deliberations.

RISK IMPLICATIONS

- Political/Governance
Delivering the Strategy action plan demonstrates good governance.
- Assets, Property and Infrastructure
A key part of the Strategy action plan is to maintain the existing paths to the required standard. This will ensure they are fit for use but also that the life cycle cost of the assets is minimised. The construction of new assets will need to be planned and completed in accordance with good asset management practices.
- Communication/Reputation
Delivering the Strategy action plan, especially the upgrade of existing paths and construction of new paths, will be well received by the community, enhancing Council's reputation.

CONCLUSION

Excellent progress has been made against the Bike Riding Strategy 2015-2020 action plan since its adoption in 2015.

The objectives of the Strategy have been substantially met during this period. A full review of the Strategy, and development of a new Action Plan will be undertaken in 2021.

ATTACHMENTS

1. Bike Riding Strategy 2015-2020 - Year 5 Status - action list [**5.4.1** - 3 pages]

5.5 WASTE STRATEGY 2018-2023 - YEAR 3 STATUS UPDATE

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

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

RECOMMENDATION

That Council note the status of actions listed in the Waste Strategy 2018-2023.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|---|
| Strategy 1.3.1 | Identify and implement initiatives to educate and encourage our community on opportunities to "live lightly" |
| Strategy 1.4.1 | Promote reduction, re-use and recycling options to minimise waste materials within Council, the community and businesses |
| Strategy 1.4.2 | Facilitate, and where appropriate, undertake improvements in waste and recycling collection, processing services and facilities |

SUMMARY

To report to Council on the progress of the actions outlined in Council's Waste Strategy 2018-2023 (the Strategy).

BACKGROUND

Devonport City Council's 2018-2023 Waste Strategy (the Strategy) provides a framework to guide efficient and cost-effective decisions for the delivery of Council managed waste services. The purpose of the Strategy is to reduce the financial and environmental impacts of waste generation whilst placing Devonport City Council in the best place possible to optimise opportunities such as grants and contract alignment to improve waste outcomes. The Strategy outlines Council's activities over a five-year period focusing on reaching three key outcomes:

1. Reducing the average amount of waste generated;
2. Reducing the amount of waste to landfill by increasing the recovery and recycling of resources across all waste streams; and
3. Protecting our natural environment by reducing the total amount of litter and illegal dumping.

The Strategy was adopted by Council at its meeting in February 2018 (Min IWC 55/18 refers). A copy of the Strategy can be found on Council's website at:

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

The Strategy action plan identifies the actions to be undertaken to deliver the outcomes described above. This report provides an update on the progress on those actions.

STATUTORY REQUIREMENTS

There are no statutory requirements relating to this report.

DISCUSSION

The Strategy describes the success measures of the three outcomes. Performance against the measures is outlined below.

Objective 1: Reducing the average amount of waste generated

Success Measures:	Performance
The total amount of waste generated remains below 2015/2016 levels and decreases over time.	Total waste to landfill in 2019-20 was less than 2015-16 but is greater than 2018-19. Refer to Figure 1. Some of the additional disposal volume is attributed to increased residential activity driven by the COVID-19 pandemic.
A range of education programs are promoted and/or delivered.	CCWMG contributed to the state-wide waste education plan including delivery of a school education program.
There is an increase in the number of new Council online services provided, including the number of forms converted to electronic formats from 1 July 2018.	Council has transitioned around 20 services online over the last year with more than 85 online services now available, which has improved customer service and allows Council to continue to deliver those services through and beyond COVID related restrictions
There is an increase in the number of community events with active waste management plans from 1 July 2018.	Opportunities to include recycling and composting at community events will increase in future. CCWMG has bin toppers available for use at events.
The quality and accuracy of waste data is improved and changes in waste data communicated to the community.	Waste data is reported publicly bi-monthly and through the annual Strategy status update

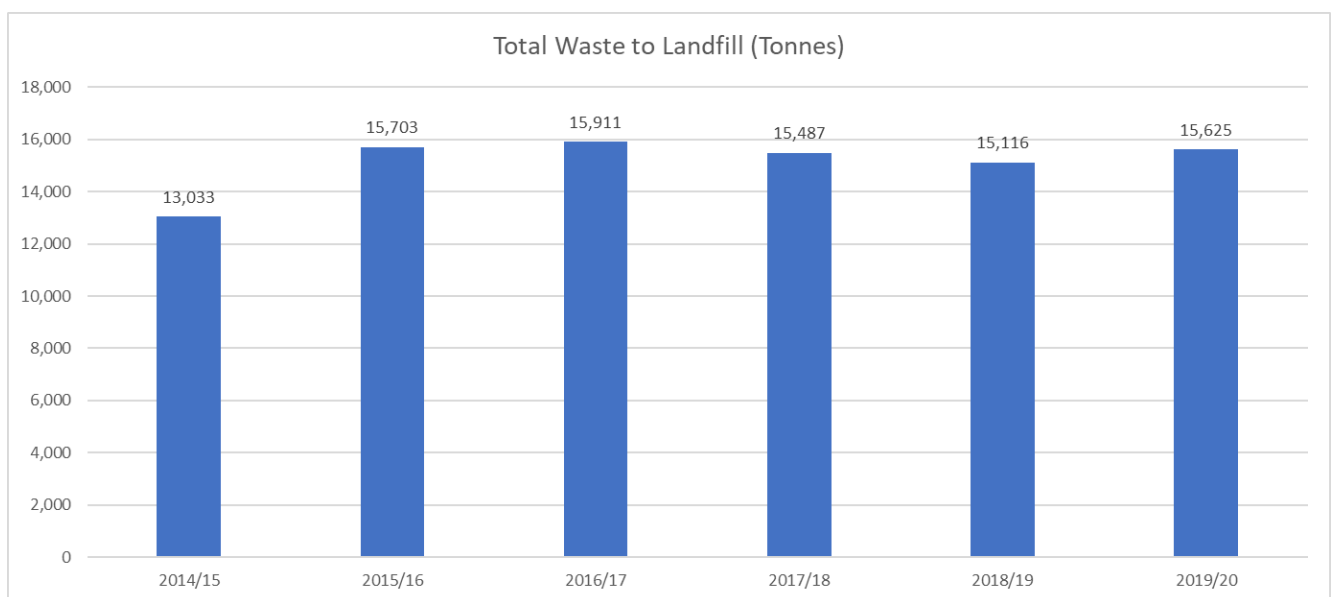


Figure 1: Total waste to landfill (Tonnes)

Objective 2: Reducing the amount of waste to landfill by increasing the recovery and recycling of resources across all waste streams

Success Measures:	Performance
Aim to keep the resource recovery diversion rate for domestic waste above 20%.	<p>2019-20 recovery rate reduced to 16.5% Refer to Figure 2.</p> <p>This trendline support the needs to further incentivise waste diversion by consumers via mechanisms such as the proposed State-wide Waste Levy.</p>
Increase resource recovery options of business and personal items across Council facilities and operations.	<p>Council accepts:</p> <ul style="list-style-type: none"> • Steel • Batteries • Mobile phones • Light globes • Gas bottles • Waste oils • Cardboard • Comingled recycling (e.g. hard plastics, glass, aluminium cans) • Paint • E-waste • Chemical drums • Tyres • Green waste • Timber • Concrete and bricks • Clean fill <p>at the Spreyton WTS and diverts these from landfill to reuse or recycling opportunities</p>
Range of community awareness and education programs delivered to encourage recycling	<p>CCWMG contributed to regular content published on the Rethink Waste Facebook page and website.</p> <p>Several resources were developed including fact sheets, mini videos, education about the waste hierarchy and case studies, to name a few.</p>

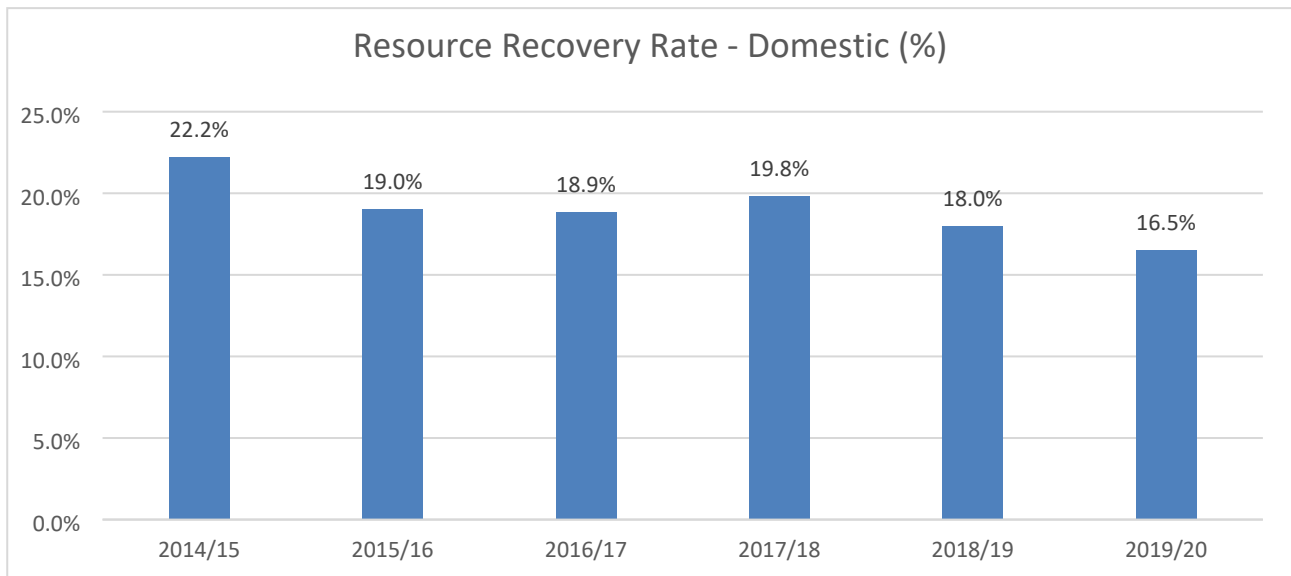


Figure 2: Resource recovery rate (domestic)

Objective 3: Protecting our natural environment by reducing the total amount of litter and illegal dumping

Success Measures:	Performance
Reduction in incidences of illegal dumping of waste	Reports of illegal dumping in 2019-20 has decreased from 2018-19. Refer to figure 3.
Involvement by community in action-based programs	<p>The Devonport community were involved in groups and events aimed at cleaning up litter including:</p> <ul style="list-style-type: none"> • Clean Up Australia Day (Don College students) • Operation Marine Debris (Sea Shepherd) • Friends of Don Reserve • Rotary Club of Devonport North

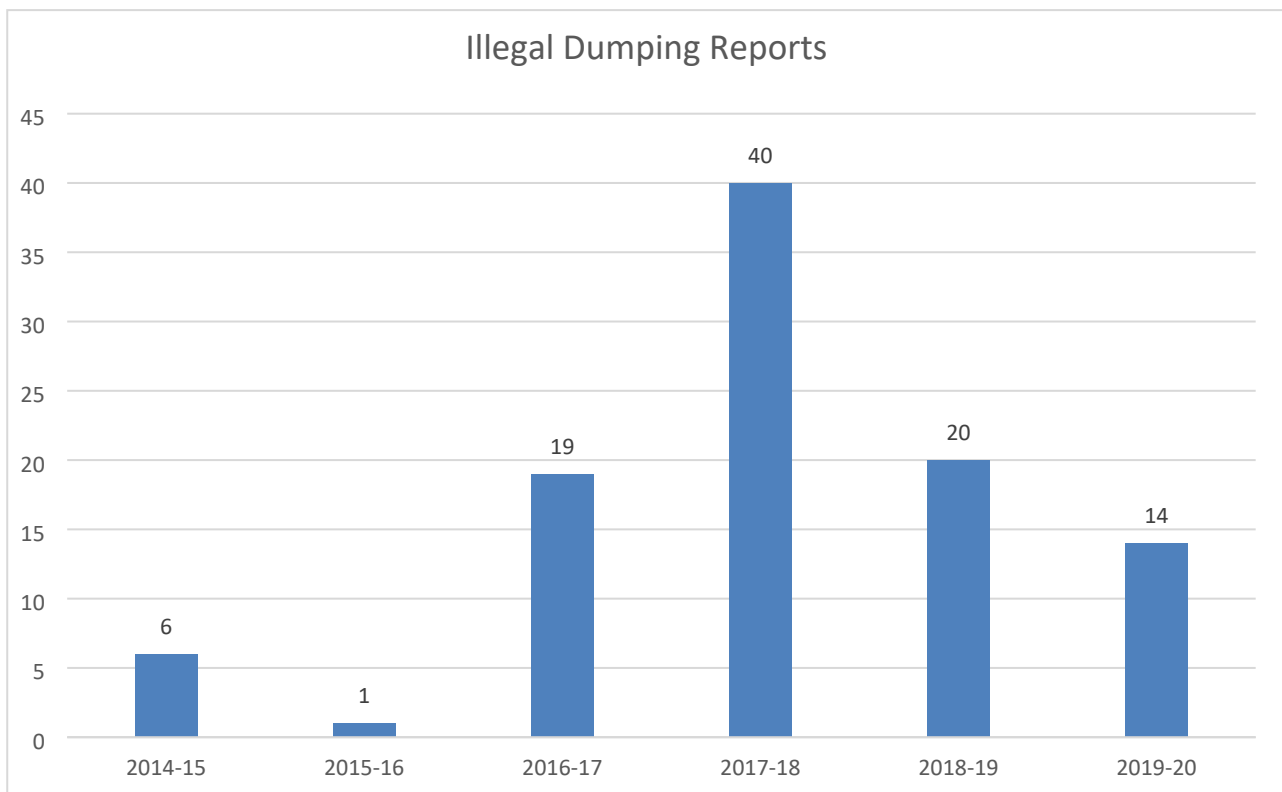


Figure 3: Illegal dumping reports

Some of the key success measures are not being met, notably:

- Total amount of waste being generated decreases over time
- Keep the domestic resource recovery rate above 20%

Furthermore, there is not enough data on litter to determine if this problem is increasing or decreasing.

Data from 2019-20 has been impacted by COVID 19 as people spent more time at home than in other years. However, even without these impacts, the achievement of the success measures is doubtful.

The Tasmanian Waste and Resource Recovery Bill, scheduled to become legislation later in the year is likely to dramatically alter the environment that Council and the community currently operate in. The introduction of a waste levy of \$20/T that will increase to \$60/T over time will act as a cost penalty on all waste that goes to landfill. Council will be required to pass this on to its customers but is also obliged to offer services that allow customers to avoid the levy.

Analysis of the current kerbside services and the WTS identify some opportunities for Council to adapt to the new legislation resulting in cost savings for the community and positive environmental outcomes through increased resource recovery. These may include:

- Reconfiguration of the WTS layout to facilitate resource recovery
- Changes to pricing structure at the WTS to encourage resource recovery
- Improvements to recycling services offered to commercial properties
- Introduction of a kerbside Food Organics and Garden Organics (FOGO) collection service

An awareness and education campaign will need to accompany any major changes as there is significant behavioural change required from some existing user of waste and resource recovery services.

The Tasmanian Waste and Resource Recovery Bill should facilitate the change required to achieve the success measures in the Strategy. However, Council leadership and investment are essential inputs, and this strategy will likely require review to recognise this significant legislative change.

COMMUNITY ENGAGEMENT

There was no community engagement undertaken in the preparation of this report. However, community engagement is a key part of achieving the strategic outcomes and is undertaken as part of each project or activity.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report. Actions requiring capital or operational expenditure are to be considered as part of annual budget deliberations.

RISK IMPLICATIONS

- Political/Governance
Delivering the Strategy action plan demonstrates good governance.
- Environmental Sustainability
Achieving the strategic objectives will see Council and the community improve its environmental sustainability.
- Consultation and/or Communication
The strategic objectives require active participation and buy in from the community. Ongoing engagement on waste management issues will help to generate enduring support for the strategic objectives.

CONCLUSION

Progress has been made on implementation of the actions listed in the Waste Strategy 2018-2023, since it was adopted in February 2018. Performance against the identified success measures has stagnated in the third year of the five-year strategy, but upcoming legislative changes will create an environment that facilitates improved performance.

ATTACHMENTS

1. Waste Strategy 2018-2023 - Year 3 Status - action list [**5.5.1** - 3 pages]

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

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

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

Date	Description	Purpose
12 April 2021	Retail Steering Committee Strategy Development Update	An update was provided by members of the Steering Committee.
	Waste/FOGO	A discussion regarding the pending waste levy and impacts to Council.
	East Devonport Gateway Project Concept Design	An overview of the status of the Gateway Project concept design.
	CBD Expressions of Interest	A review of the applications received as part of the recent expression of interest process undertaken by Knight Frank.
	Mersey-Leven Region Proposal	A discussion regarding the development of a new tourism body, proposed by Mr J Matthews.
	David Street	Further discussions relating to the potential re-naming of part of David Street, East Devonport.
	Potential Property Disposal	Discussion regarding an expression of interest to purchase a property owned by Council
	Vehicle Incident	An update regarding a recent traffic incident

6.2 MAYOR'S MONTHLY REPORT - APRIL 2021

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report details meetings and functions attended by the Mayor.

BACKGROUND

This report is provided regularly to Council, listing the meetings and functions attended by the Mayor.

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In her capacity as Mayor, Councillor Annette Rockliff attended the following meetings and functions between 17 March and 20 April 2021:

- Council Meeting
- Audit Panel Meeting
- Regular meetings with the General Manager
- Catch ups with staff members and councillors as required
- Met with community members on a range of topics
- Media as requested - Martin Agatyn (7AD) (3), Tasmania Talks; Leon Compton, Lee & Jess (SeaFM), Darren Kerwin (7AD)
- Spoke to Grade 3/4 classes at Spreyton Primary about Local Government
- Attended the official opening of the Aboriginal Health Centre
- Breakfast meeting with senior staff and Board members of Cradle Coast Authority
- Conducted a private Citizenship Ceremony for five new citizens
- Attended the Rotary Club of Devonport North Motor Show
- Attended exhibition openings at the Devonport Regional Gallery (x2)
- Attended the opening of RANT's exhibition
- Attended the Skate Competition at the Bluff
- Attended meeting of Cradle Coast Authority Mayors
- Attended Cradle Coast Authority Representatives meeting
- Attended Telstra announcement of 5G services on the coast
- Met with Migrant Resource Centre representative
- Attended farewell for Her Excellency Professor the Honourable Kate Warner AC, Governor of Tasmania and Mr Warner at Cradle Coast Authority
- Presentations to winners of the National Junior Squash Championships
- With the General Manager, met with representatives of Spreyton Scouts
- Attended the official opening of the Ambleside Coastal Pathway section
- Visited the Providore Place Twilight Market
- Attended the Maidstone Park Committee meeting

- Attended the Liberal's announcement of funding commitments for port upgrades and the purchase of new Spirits

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT - APRIL 2021

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, between 17 March and 20 April 2021. It also provides information on matters that may be of interest to Councillors and the community.

BACKGROUND

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

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Committee and Council Meetings as required.
- 1.3. Attended morning tea to celebrate 30 years' service by an employee within Council's Waste Management team.
- 1.4. Met with Management Representatives from Veolia Waste Services to discuss introduction on new waste legislation and general industry matters.
- 1.5. Attended Council's audit panel meeting.
- 1.6. Met with representatives from TasPorts for an update on matters involving the Devonport Port.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Met with Simon Want regarding an update on the proposed Showgrounds development.
- 2.2. With the Mayor, met with representatives from the Spreyton Scouts Group.
- 2.3. Met with Leigh Titmus from Devonport North Rotary Club regarding the planting of trees at Byard Park.

- 2.4. Met with a resident concerned about wood cutting activity.
- 2.5. Met with representatives from Gran's Van regarding the proposed expansion of services they provide to the community.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Along with the Mayor and Deputy Mayor attended the Cradle Coast Representatives meeting.
- 3.2. Attended the State Board Meeting of LG Professionals.
- 3.3. Attended a Cradle Coast Authority Shared Services workshop regarding maximising use of Microsoft Office 365. The workshop included a session with a Microsoft consultant and a further presentation from Council's Deputy General Manager, Jeff Griffith, on the digital Transformation occurring at Devonport City Council.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. A document highlighting Devonport City Council State election priorities has been produced and circulated to the political parties and media outlets. At the time of writing this report, there has not yet been any commitments to the priority projects.
- 4.2. Council has been successful in securing \$39,000 from the State Government's 20/21 Recreational Fishing and Camping Facilities Program to relocate the RV dump point from the current location at Horsehead Creek on the west side of Devonport Road to the eastern side closer to the camping area.

5. OTHER

- 5.1. The first Providore Place Market for 2021 was held on 9 April. It was a positive start to the resumption of a regular market, with future markets now scheduled for the full year on the second Friday of every month, although the next market will be on Friday, 7 May to coincide with Mother's Day.

Feedback from stall holders has been overwhelmingly positive and patron numbers were encouraging, with a short period where access to the market hall had to be limited due to exceeding covid capacity limits.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

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

RISK IMPLICATIONS

Any specific risk implications will be outlined in the commentary above. Any specific issue that may result in any form of risk to Council is likely to be subject of a separate report to Council.

CONCLUSION

This report is provided for information purposes only and to allow Council to be updated on matters of interest.

ATTACHMENTS

1. Current and Previous Minutes Resolutions [**6.3.1** - 2 pages]

6.4 DEVELOPMENT AND HEALTH SERVICES REPORT

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

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.4.1 Provide timely, efficient, consistent services which are aligned with and meet customer needs

SUMMARY

This report provides a summary of the activities undertaken by the Development Services Department for the months of February and March 2021.

BACKGROUND

This report is provided to summarise the activities of the Development Services Department in the preceding two months.

The Council functions undertaken by the Department are:

- Planning;
- Building and Plumbing Services;
- Environmental Health;
- Animal Control; and
- Risk and Regulatory Compliance Services.

STATUTORY REQUIREMENTS

In carrying out its activities, the Development Services Department is required to ensure compliance with a substantial amount of legislation and regulation. The principal legislation administered by the Department includes the:

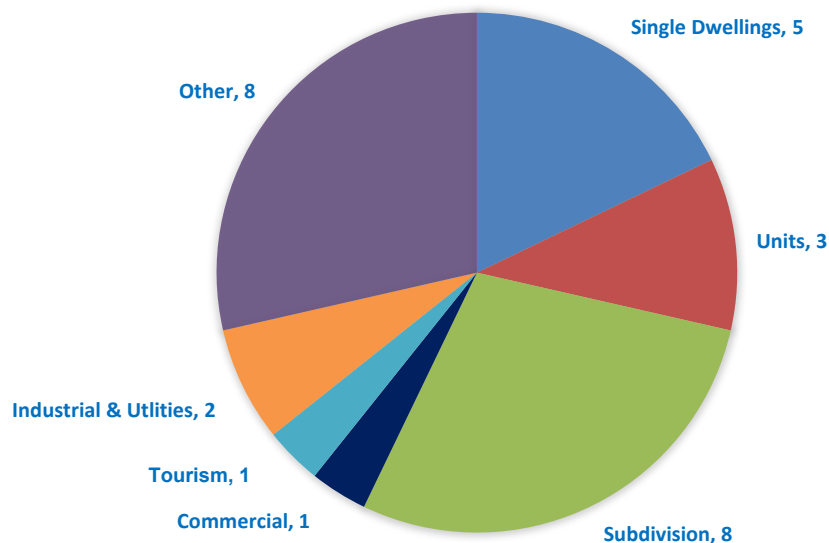
- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*
- *Building Act 2016*
- *Building Regulations 2016*
- *Public Health Act 1997*
- *Food Act 2003*
- *Environmental Management and Pollution Control Act 1994*
- *Dog Control Act 2000*
- *Tasmanian Planning Scheme – Devonport 2020*
- *Work Health and Safety Act 2012*

DISCUSSION

1. Planning

- 1.1. The following graph details the breakdown of planning applications received during February and March:

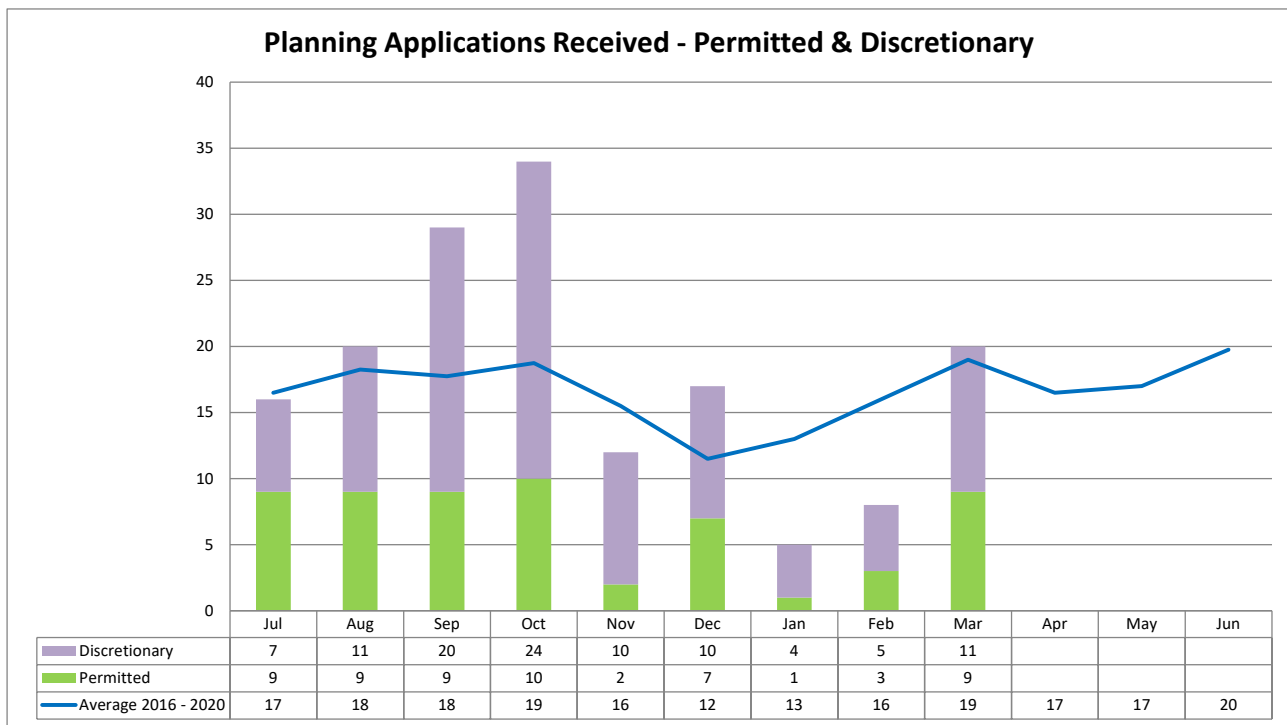
PLANNING APPLICATIONS RECEIVED BI-MONTHLY BREAKDOWN



Note:

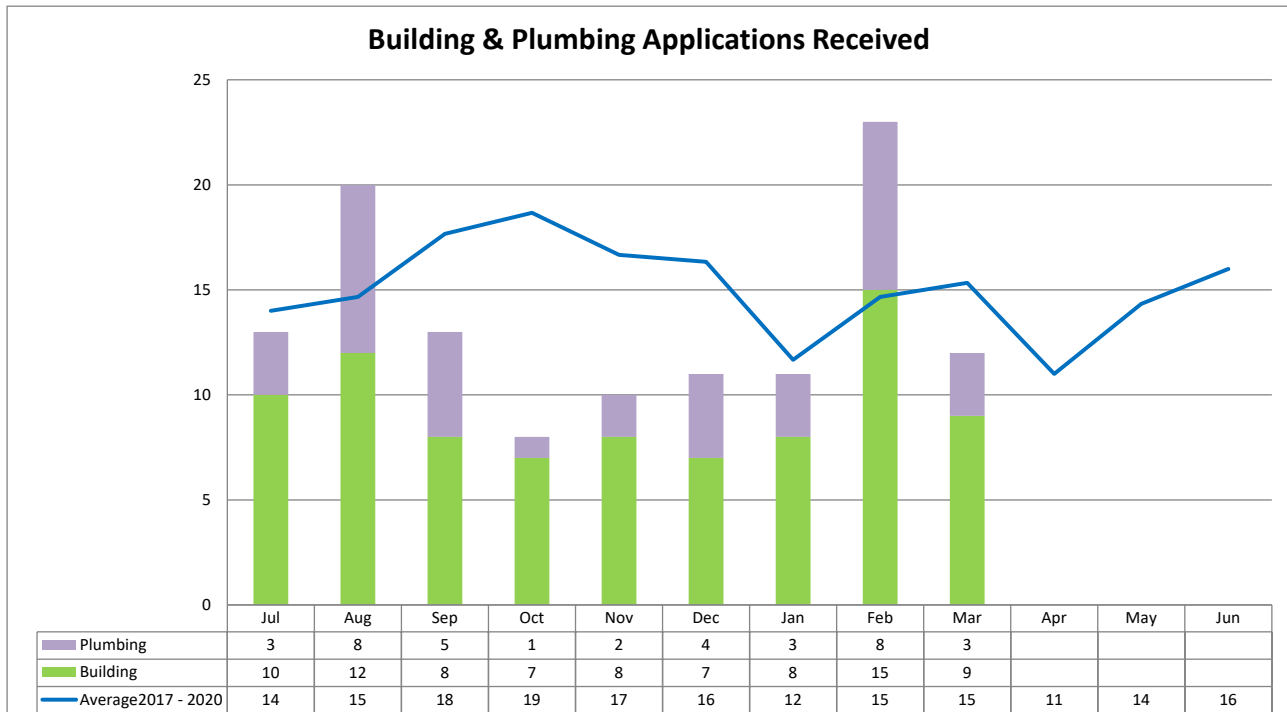
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales, business and professional services, community meeting and entertainment, educational and occasional care, equipment and machinery sales and hire, food services, general retail and hire, hotel industry, research and development.
- Tourism – means tourist operations and visitor accommodation.
- Industrial and Utilities – means extractive industry, manufacturing and processing, port and shipping, recycling and waste disposal. Resource processing, service industry, storage, transport depot and distribution, utilities, vehicle fuel sales and service.
- Other – means all other use classes.

- 1.2. 16 Discretionary Planning Applications and 12 Permitted Planning Applications were received in February and March. The following graph details the number of Planning Applications received compared to previous years:



2. Building/Plumbing

2.1. 24 Building Applications and 11 Plumbing Applications were received in February and March. The following graph details the Building and Plumbing Applications compared to the previous year:

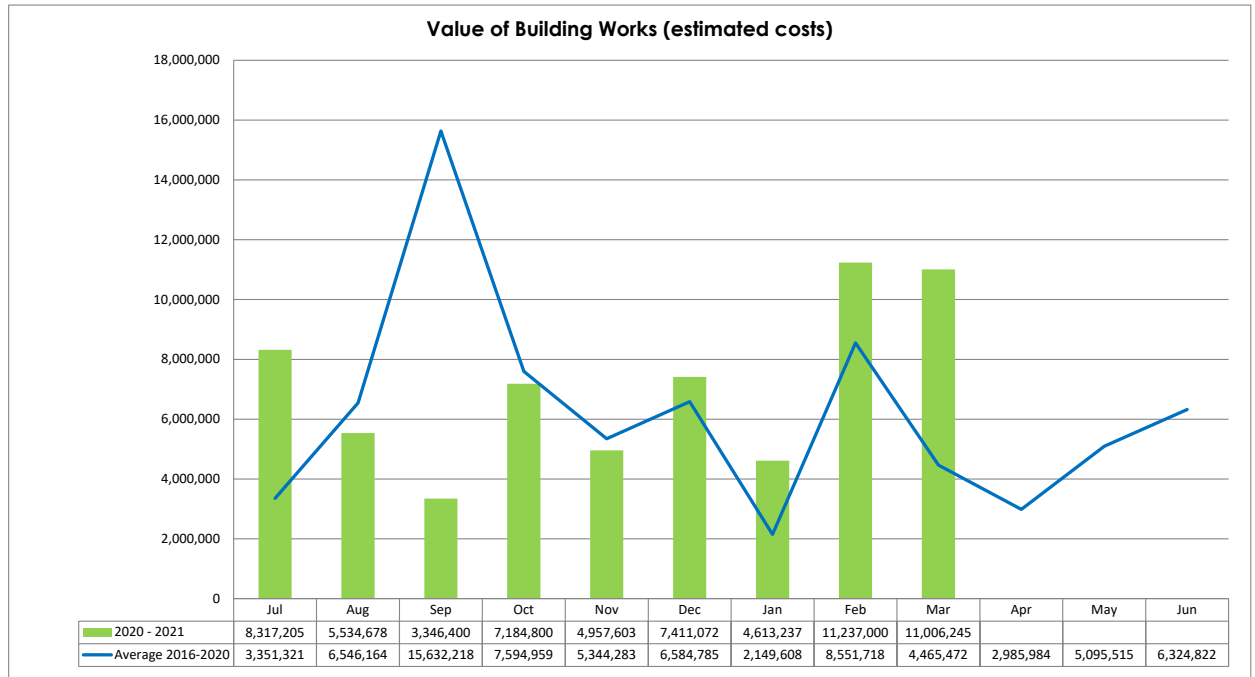


2.2. A new version of the Directors Determination for the Categories of Building & Demolition work came into effect from 12 April 2021.

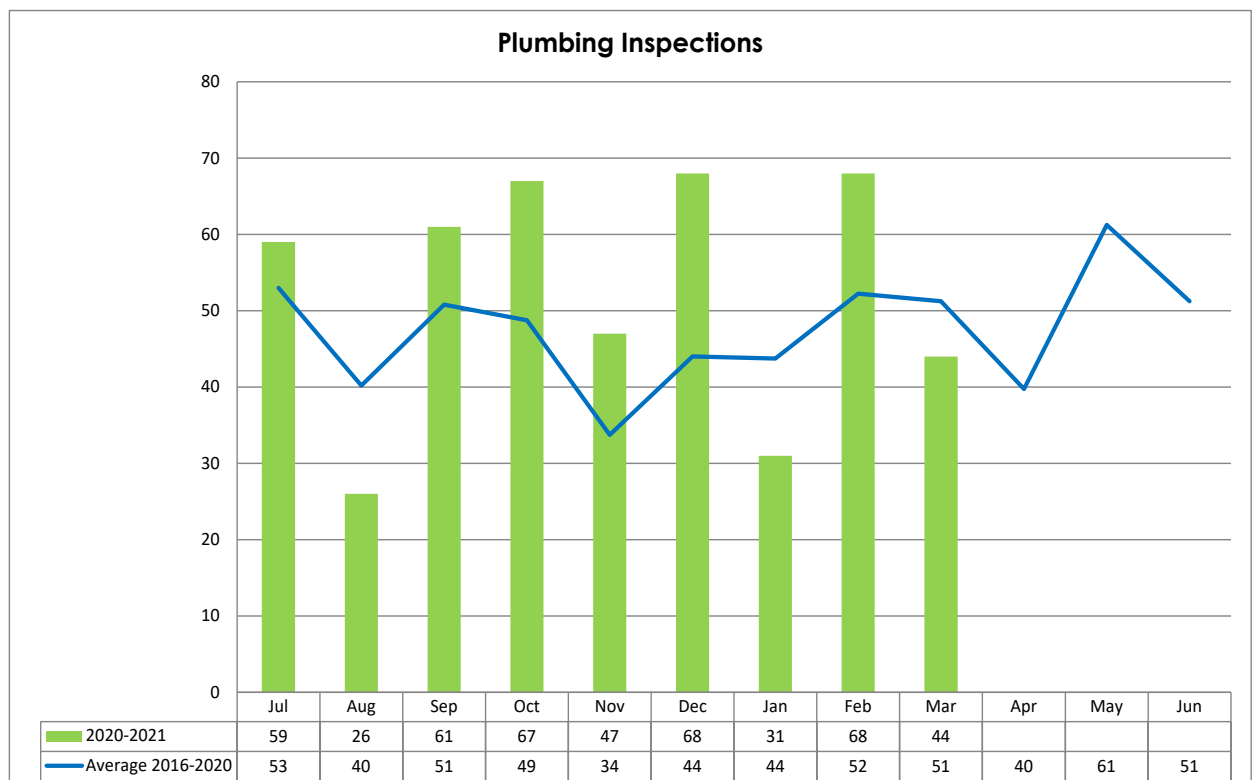
There has also been the publication of consequential amendments to the Hazardous Areas Determinations.
The hazardous areas are:

- Bushfire
- Coastal erosion
- Coastal inundation
- Landslip
- Riverine inundation

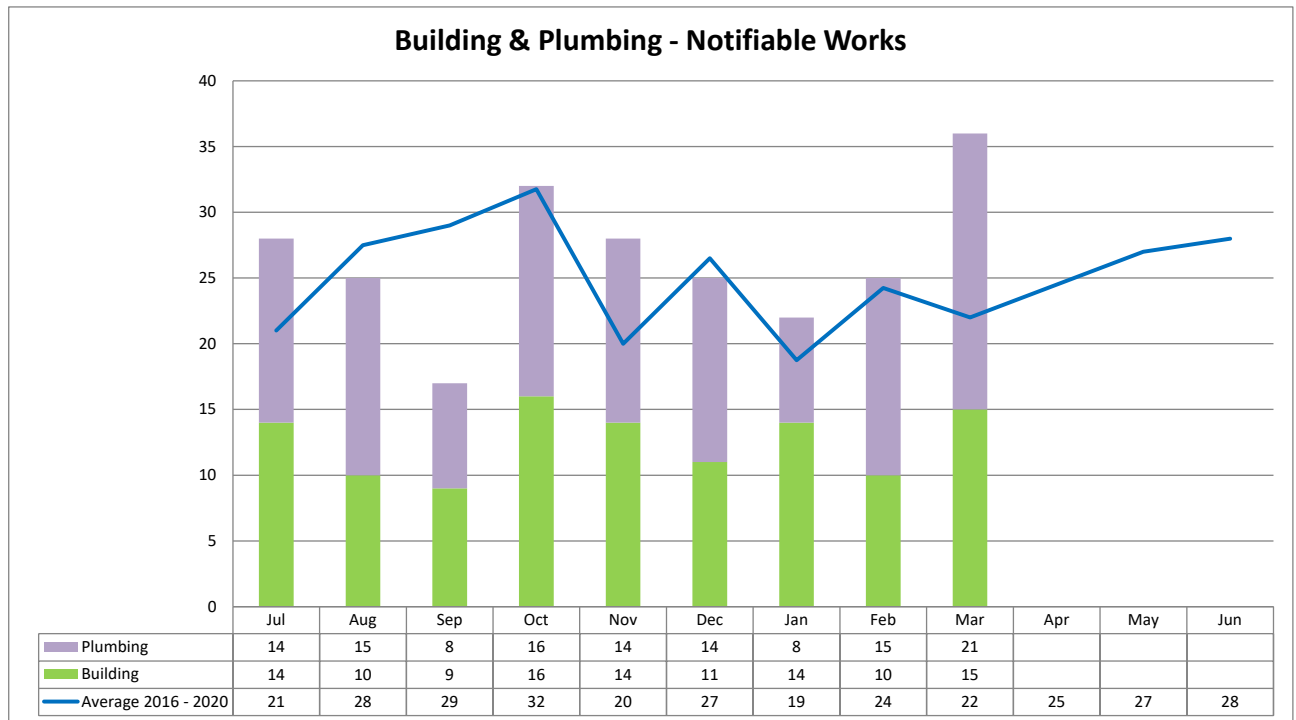
2.3. Building Applications for \$11,237,000 worth of building works were received in February and \$11,006,245 in March. The following graph details the value of buildings works received compared to previous years:



2.4. 68 plumbing inspections were carried out in February and 44 in March. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:

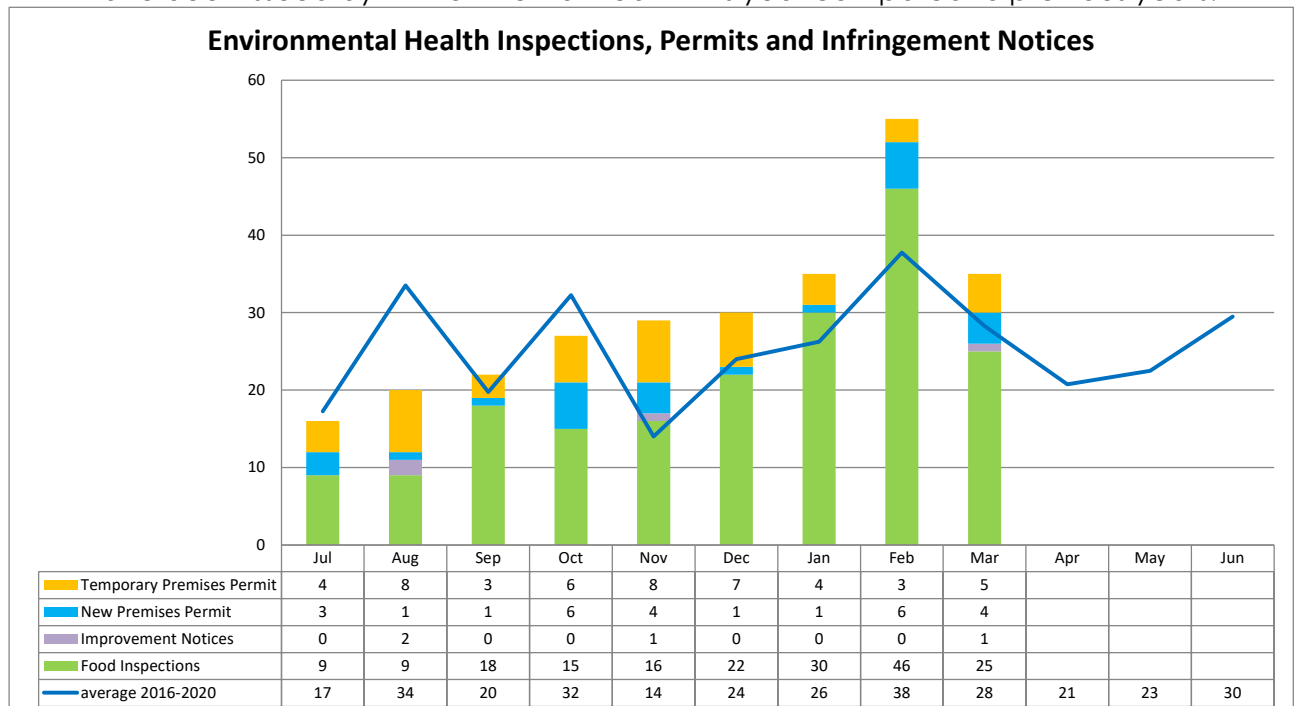


2.5. The following graph details the notifiable works received for building and plumbing that have been issued this year compared to previous years:



3. Environmental Health

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

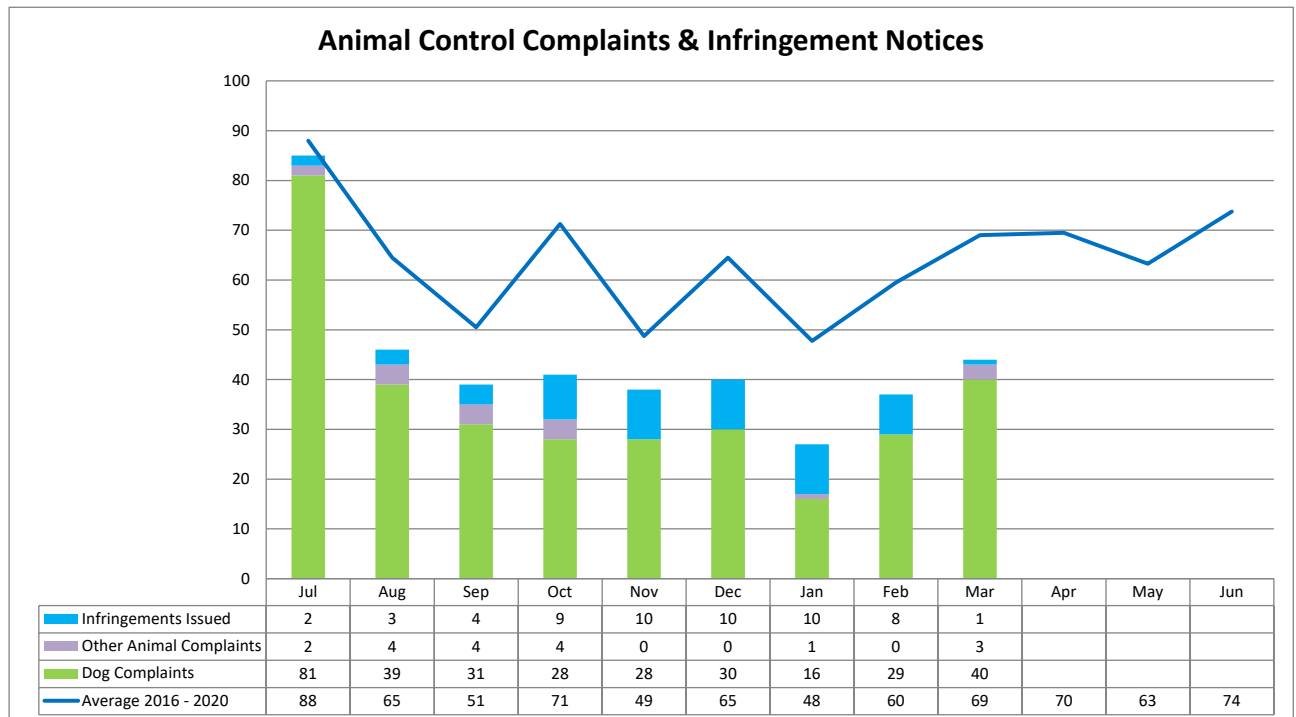


4. Animal Control

4.1. *Cat Management Act 2009* - changes to the Act were proclaimed in March. While there are several amendments to the Act the main changes are:

- A person is now permitted to trap a cat on their private property, as long as any cat that is trapped is either returned to its owner or taken to a cat management facility.

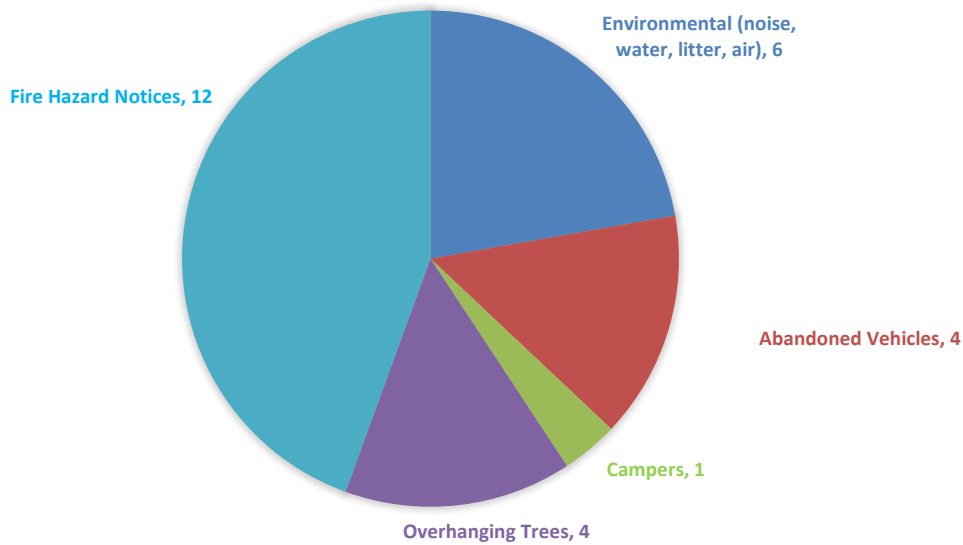
- A cat management facility must microchip and desex a cat before the cat can be reclaimed from the facility.
- 4.2. At the end of March, there were 3,665 dogs registered in Devonport.
 - 4.3. In February and March, a total of 72 animal complaints were received. These complaints predominately related to dogs at large and barking dogs. All complaints were responded to within two working days.
 - 4.4. The following graph details the number of animal complaints for this financial year compared to the same period last year:



5. Risk and Compliance

- 5.1. The following graph details the breakdown of the complaints received by the Risk Department during February and March:

COMPLAINTS RECEIVED BI-MONTHLY BREAKDOWN



5.2. 23 Internal incidents and 20 external incidents were reported during February and March. The following table details the types of incidents:

Internal Incident Type	No. of Reports	Description
Property Damage	4	<ul style="list-style-type: none"> • Damage at Transfer Station • Hit awning • Vandalism x 2
Motor Vehicle	6	<ul style="list-style-type: none"> • Rear ended • Hit by another vehicle • Hit gate • Unknown damage • Selected wrong gear • Incorrect fuel
Hazard	2	<ul style="list-style-type: none"> • Illegal entry into meeting • Entry door too heavy
Personal Injury	3	<ul style="list-style-type: none"> • Muscle strain • Bruising x 2 • Pierced hand
Property Theft	1	<ul style="list-style-type: none"> • Surveillance cameras Tea Tree Lane
Near Hit	1	<ul style="list-style-type: none"> • Hit hand
General Public	4	<ul style="list-style-type: none"> • Public confrontation • Disturbing poster reported by staff • Mower & bicycle collided on shared pathway • Staff abused
External Incident Type	No. of Reports	Description
Personal Injury	5	<ul style="list-style-type: none"> • Trip & fall x 5
Property Damage	5	<ul style="list-style-type: none"> • Sauna equipment damaged • Road surface damaged by vehicle • Fence cut at cemetery • Rock flicked up & hit vehicle • Card reader smashed on car park
Motor Vehicle	1	<ul style="list-style-type: none"> • Collided with Council vehicle

Hazard	2	<ul style="list-style-type: none"> • Raised footpath • Child stuck in tree
Property Theft	3	<ul style="list-style-type: none"> • Stolen equipment • Flowers & plants stolen x 2
General Public	4	<ul style="list-style-type: none"> • Person created a nuisance • Rocks thrown at building • Possum attacked dog • Plaque removed

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

	Internal Incidents	External Incidents
Actual Claims	2	1
Actual Claim Costs	\$5,000	\$200

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

Any financial implications arising out of this report will be reported separately to Council.

RISK IMPLICATIONS

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

CONCLUSION

This report is provided for information purposes only as it relates to the activities of the Development Services Department in February and March 2021.

ATTACHMENTS

Nil

6.5 INFRASTRUCTURE AND WORKS REPORT

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

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

RECOMMENDATION

That Council:

- a) receive and note the Infrastructure and Works report, and
- b) approve the addition of 6 new projects, as detailed in the report to the 2020/21 capital works program and the associated external funding of \$882,650.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|---|
| Strategy 2.3.2 | Provide and maintain roads, bridges, paths and car parks to appropriate standards |
| Strategy 2.3.3 | Provide and maintain stormwater infrastructure to appropriate standards |
| Strategy 2.3.4 | Provide and maintain Council buildings, facilities and amenities to appropriate standards |
| Strategy 2.3.5 | Provide and maintain sustainable parks, gardens and open spaces to appropriate standards |
| Strategy 5.4.1 | Provide timely, efficient, consistent services which are aligned with and meet customer needs |

SUMMARY

This report provides a summary of the activities undertaken by the Infrastructure and Works Department during the months of February and March.

BACKGROUND

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

- Asset management program (forward planning and maintenance)
- Capital works
- Roads and paths
- Streetscape design (including lighting, signs, furniture, vegetation)
- Stormwater management
- Traffic management
- Waste management
- Recreation reserves (including playgrounds, parks and gardens)
- Sporting grounds and facilities
- Tracks and trails
- Public buildings (including public halls, toilets)
- Marine structures (including jetties, boat ramps)
- Recreation and open space planning

STATUTORY REQUIREMENTS

There are no statutory requirements relevant to this report.

DISCUSSION

1. Capital Works Program

- 1.1. In February and March, progress was made on the Capital Works Program. The Capital Works Income & Expenditure Report March 2021 is included as an attachment to this report.
- 1.2. Government funding has been secured for 6 new projects requiring an adjustment to the capital works program to add a total of \$882,650 to the program. Two of the projects require a funding commitment from Council in the 2021-22 capital works program. Details of the projects are shown in the table below:

Project	Funding secured	Funding entity	2021-22 DCC contribution required
Public place recycling	\$8,560	Cradle Coast Waste Management Group	Nil
Nixon Street and Parker Street safety improvements	\$120,000	Department of State Growth	Nil
Forbes Street safety improvements	\$230,000	Department of State Growth	Nil
Forth Road safety improvements	\$235,000	Department of State Growth	\$60,000
Kelcey Tier Road safety improvements	\$250,000	Department of State Growth	\$65,000
Horsehead Creek RV dump point relocation	\$39,000	Department of Premier and Cabinet	Nil

- 1.3. The Maidstone Park lighting project has been completed and the lights have been used for training and a senior NWFA game.



Maidstone Park, April 10th 2021. Photo courtesy of NWFA

- 1.4. Rock baskets have been installed in front of the access ramp to Bluff Beach. In normal conditions, this will reduce the amount of rock and sand deposited on the ramp, keeping it accessible more often with reduced requirement for maintenance.



- 1.5. An order has been placed for the Kiah Place playground renewal project. The playground equipment will be installed in May, and the surrounding paths will be renewed later in the year.



- 1.6. New wayfinding signage has been installed at Mersey Vale Memorial Park, assisting visitors to access areas of the Park. A map based sign is installed at the office, with signs at each lawn and road throughout the Park.



- 1.7. Two courts have been resurfaced at the Spreyton Netball Centre in readiness for the 2021 season.



-
- 1.8. Two areas of construction activity are underway at Mersey Bluff. The construction of angled parking on Bluff Road is underway, as is the construction of a roundabout and pedestrian facilities on Bluff Access Road, which recommenced after the peak tourist season.
 - 1.9. The Oldaker stormwater catchment project is underway, with a new pipe being installed on the north side of Oldaker Street, as part of a larger plan to reduce the risk of flooding. At this location, the construction contractor has been slowed by the presence of rock in the trench.
 - 1.10. The Devonport Road renewal project is underway, with completion expected in April.



-
- 1.11. The Latrobe to Ambleside section of the Coastal Pathway has been completed with the official opening in April. The Don to Leith section is progressing, with the Cradle Coast Authority calling for tenders for the construction of a new bridge over the Don River. Construction of the bridge and the rest of this section will commence later in the year.



- 1.12. Work to commence in April and May includes:

- Completion and commissioning of the Girdlestone Park lighting
- Installation of new ash interment columns in the Mersey Vale Memorial Garden
- Installation of public place recycling bins and commencement of the collection service
- Spreyton Hall heater renewal
- Nixon Street and Parker Street safety improvements
- Greenway Avenue traffic calming

2. Management

- 2.1. Measures implemented to comply with COVID-19 pandemic restrictions on physical contact and proximity remain in place as part of Council's COVID safe work plan. Measures include social distancing in office spaces and break rooms.

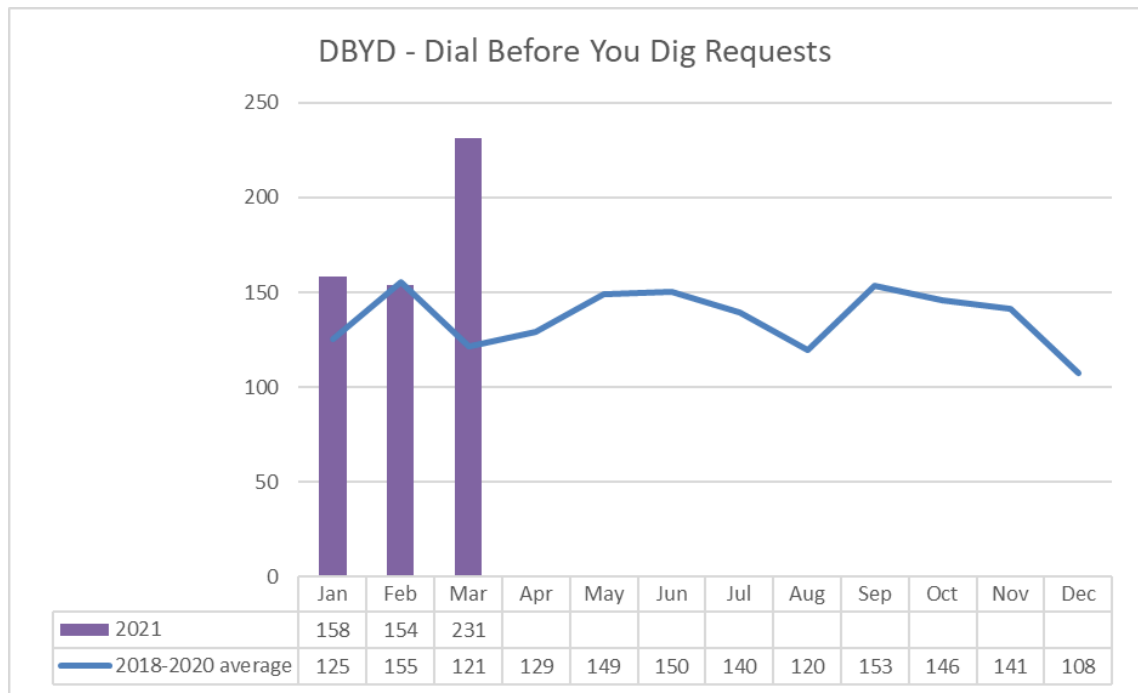
This requires some staff to work remotely and for changes to break room facilities. Hygiene measures, such as the provision of hand sanitiser and more frequent cleaning remain in place.

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

- 2.2. Council's engineering team have made a submission to a supplementary round of the Department of State Growth's Safer Roads: Vulnerable Road User program. This submission is for the completion of footpath networks around bus stops, which will help to ensure that the stops are accessible to all passengers. The submission is for a total of 430m of new path at locations including Best Street, Steele Street, Don Road and Forbes Street.

3. Assessments and Approvals

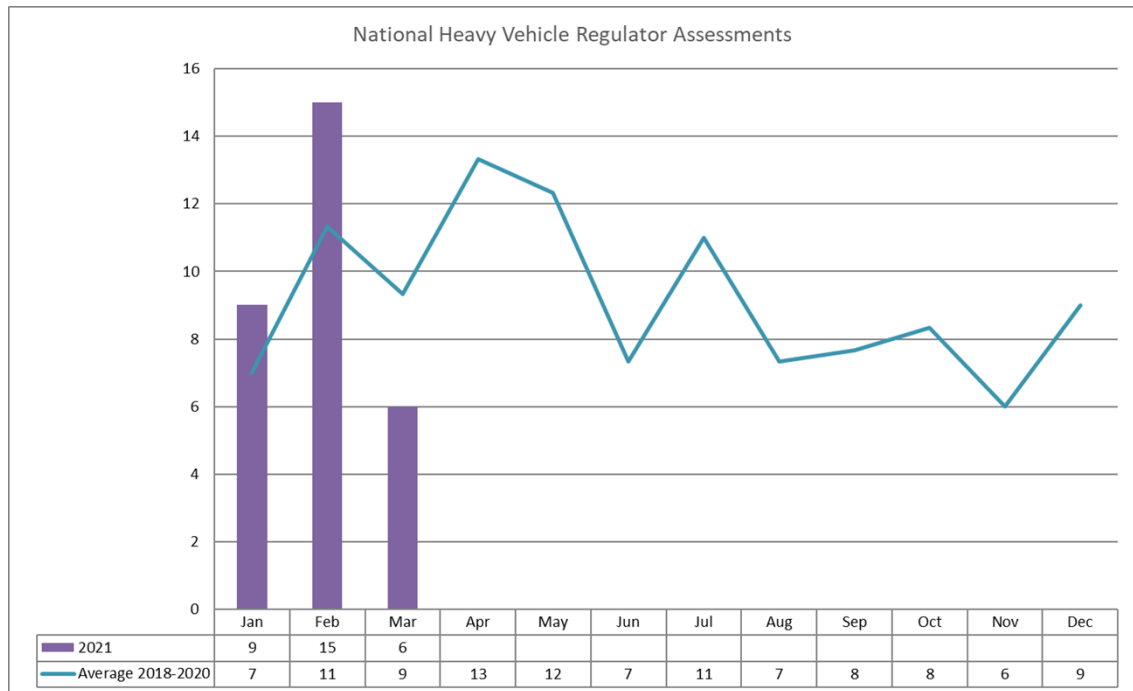
- 3.1. The following graph details the Dial Before You Dig Requests that have been assessed by the Infrastructure and Works Department this year compared to previous years:



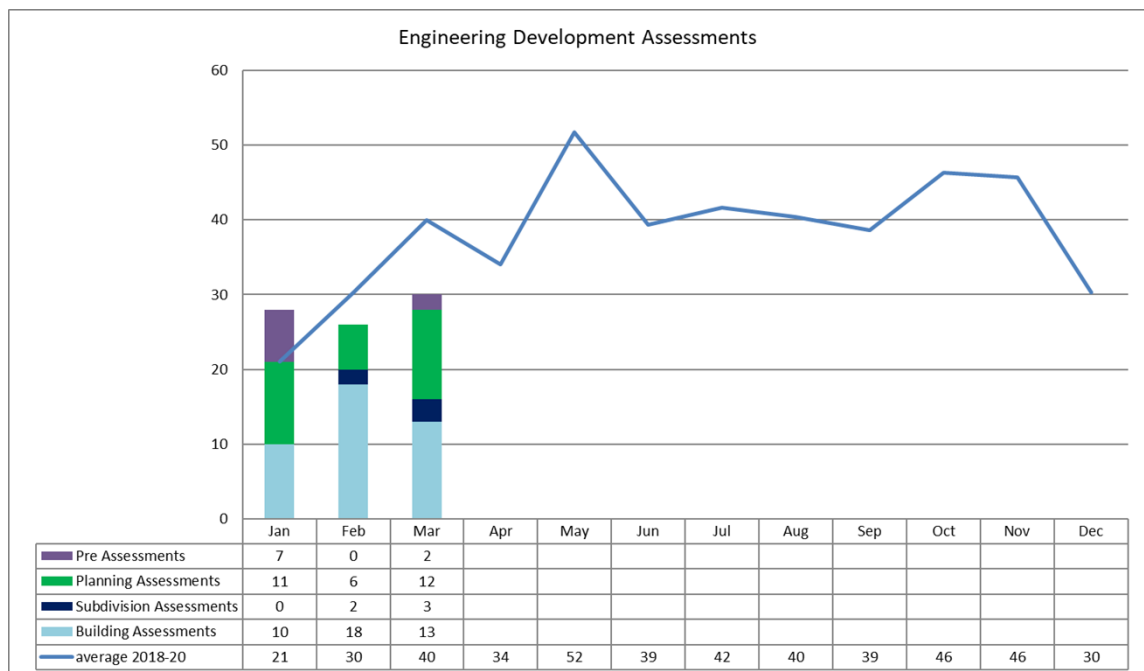
- 3.2. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	10
Total value of capitalisations in period	\$1.0M
Total value of Works in Progress (WIP) as at 31 March	\$19.4M
Donated Asset Capitalised (Subdivisions) in period	0
Number of projects awaiting capitalisation next period	16

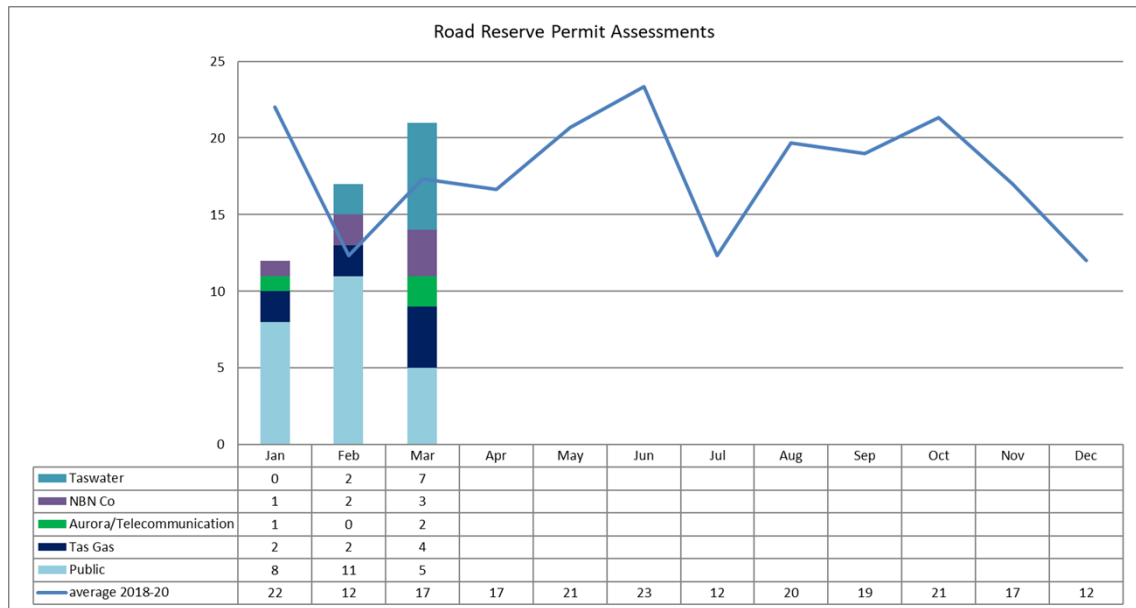
3.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



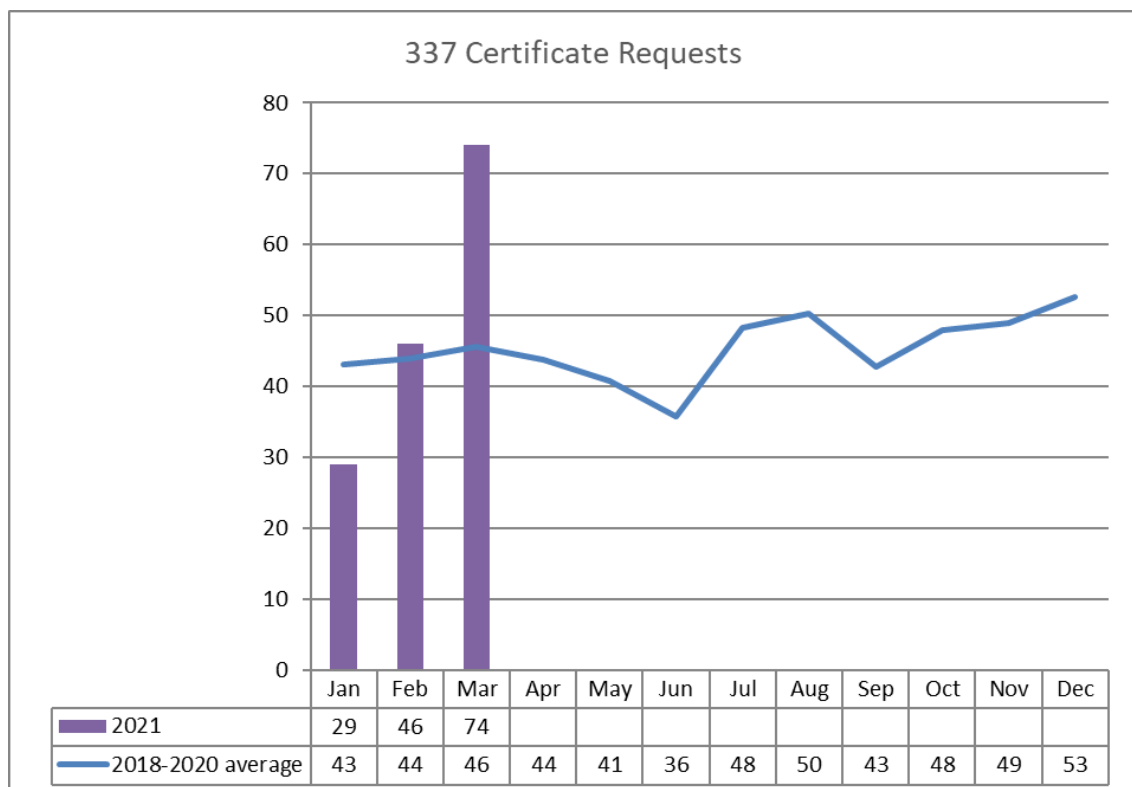
3.4. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



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



3.6. The following graph details the 337 Certificate requests that have been processed this year compared to previous years.



4. Operational Contracts

- 4.1. The following table details the contracts managed within the Infrastructure and Works Department that have been extended this financial year:

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
Contract - 1320 Weed Control	1/07/2018 option 1+1	The original contract signed in June 2018 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the second 12 months was accepted.	\$107,180 per annum	Steeds Weeds Solution
Contract – 1321 Roadside Mowing	1/07/2018 option 1+1	The original contract signed in June 2018 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the second 12 months was accepted.	\$65,250 per annum	Mareeba Trust
Contract - 1334 Money Collection Service	1/9/2019 option 1+1	The original contract signed in August 2019 was for a 12 month period and had an option for two 12 month extensions. Further to a review the option for the additional 12 months was accepted.	\$52,490 per annum	Thomas Paul Security

- 4.2. The following table details the new contracts entered into this financial year that are managed within the Infrastructure and Works Department:

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
Contract 1338 Supply & Delivery of Pre-Mixed Concrete	1/7/20 to 30/6/21 plus two extension options	Two 12-month extensions	Nominally \$51,262 per annum	Hazell Bros Group Pty Ltd
Contract 1339 Essential Safety and Health Features	1/12/20 to 30/11/22 plus two extension options	Two 12-month extensions	\$26,229.50 annually	Safe Workplace Solutions Pty Ltd
			\$10,906 annually	Jackson Security

5. Civil Works and Stormwater Maintenance

5.1. Maintenance in accordance with the Service Level Document, undertaken in February and March included:

- Investigation and repairs following the rain event on February 5th and 6th
- Road edge repairs and culvert clearing on Buster Road
- Footpath repairs in North Fenton Street, Tarleton Street and Gunn Street
- Road patching on Victoria Parade

5.2. In April and May, planned civil works and stormwater maintenance works will include:

- Road repairs on Waverley Road and Don Heads Road
- Gravel road resheeting including Durkins Road and Perrys Road
- Work on stormwater drains and pits in the Bass Highway to protect Dana Drive properties from flooding
- Footpath repairs in various streets

6. Parks and Reserves Maintenance

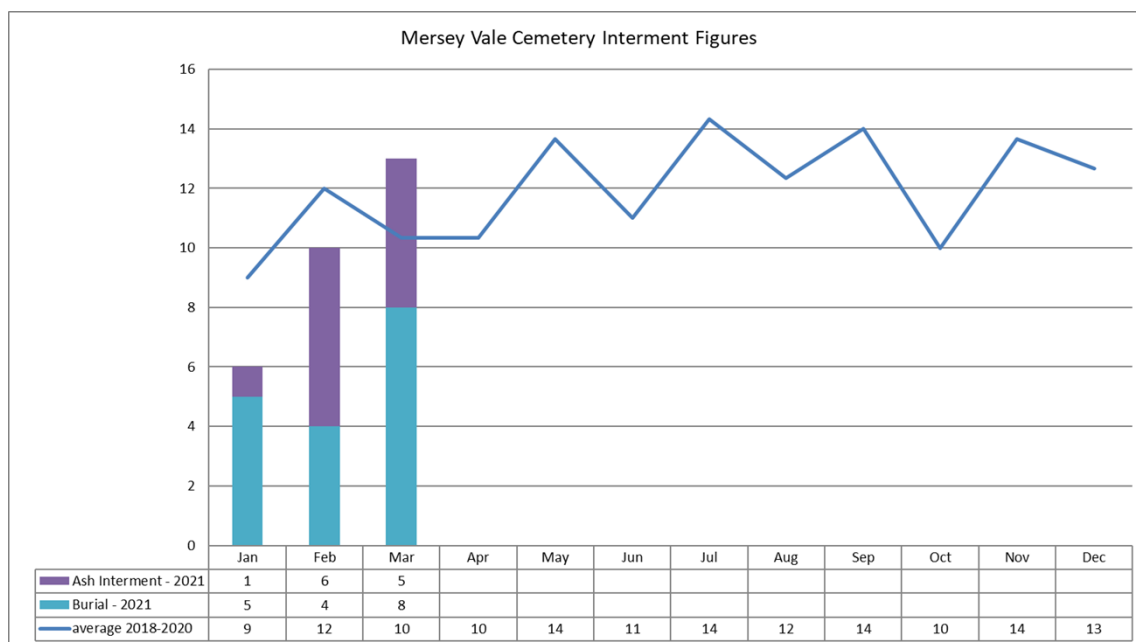
6.1. Maintenance in accordance with the Service Level Document, undertaken in February and March included:

- Preparation of Valley Road grounds for SAP festival
- Sports ground changeover to winter sports layouts
- Scheduled tree maintenance on trees in Roundhouse Park, and Charlotte Gardens
- Reactive tree maintenance, following rain event on February 5th and 6th

6.2. In April and May, planned parks and reserves maintenance works will include:

- Tree maintenance including crown lifting of ornamental pear trees in Oldaker Street and removal of several pine trees along a section of Waverley Road
- Aeration of sports fields
- Mulching of garden beds including on Devonport Road and the East Devonport foreshore

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



7. Building and Facilities Maintenance

7.1. Maintenance in accordance with the Service Level Document, undertaken in February and March included:

- Replacing the sauna heater at Devonport Recreation Centre
- Staining the timber deck at the Bass Strait Maritime Centre
- Replace roof of barbecue shelter at Melrose Street playground
- Replacing a fence behind the Bluff caravan park caretaker's house

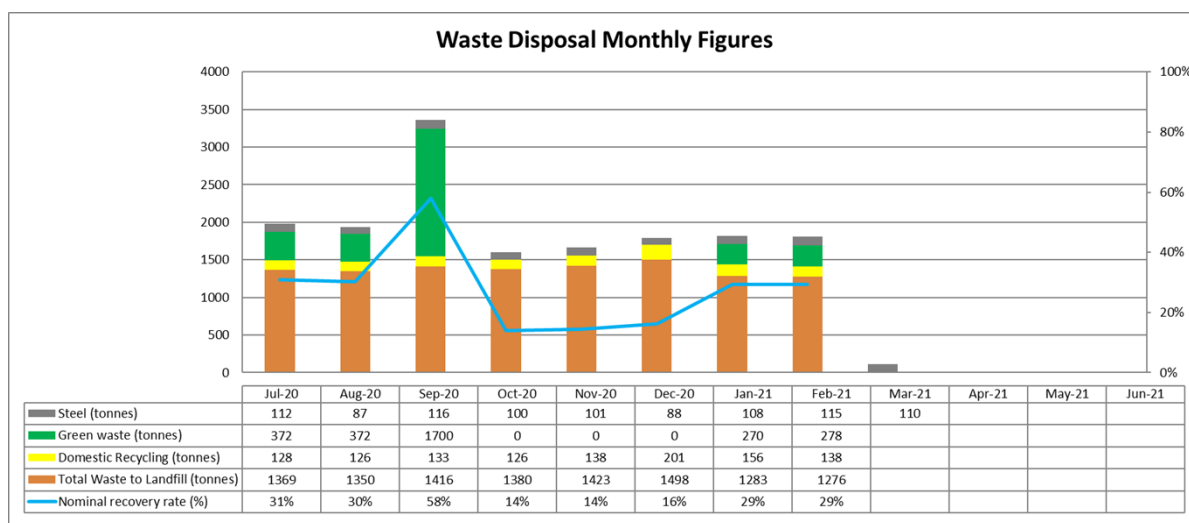


7.2. In April and May, planned building and facilities maintenance works will include:

- Pressure wash and paint cenotaph surrounds in preparation for ANZAC Day
- Staining the timber furniture at Bluff Plaza
- Staining the barbecue shelter at Reg Hope Park
- Installation of winter sports goal posts

8. Waste Management Operations

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



COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Any specific risk implications have been outlined in the discussion above. Any risks that result in an issue to Council will be the subject of a separate report.

CONCLUSION

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

ATTACHMENTS

1. 20210331 Capital Works Summary [6.5.1 - 3 pages]

6.6 UNCONFIRMED MINUTES - DEVONPORT CITY COUNCIL AUDIT PANEL

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 22 March 2021.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This is a report of the unconfirmed minutes of the Audit Panel meeting held on 22 March 2021.

BACKGROUND

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

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

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

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

STATUTORY REQUIREMENTS

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

DISCUSSION

The unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 22 March 2021 are included as a confidential attachment. Matters discussed at the meeting held on 22 March 2021 included:

- an overview of Council's annual budget program and process;
- an overview of risk management; and
- the February financial report.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report

RISK IMPLICATIONS

- **Political/Governance**

The Audit Panel plays a key oversight role in Council's risk management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its charter, the primary objectives of the Audit Panel are to consider whether:

- the annual financial statements of the Council accurately represent the financial position of the Council;
- the Strategic Plan, Annual Plan, Long Term Financial Management Plan and the Long-Term Strategic Asset Management Plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
- the Council is complying with the provisions of the Act and any other relevant legislation;
- all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
- the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

CONCLUSION

The information contained in the report and the unconfirmed minutes (confidential attachment) of the Audit Panel meeting held on 22 March 2021 are presented to Council.

ATTACHMENTS

Nil

7 SECTION 23 COMMITTEES

Nil

8 CLOSED SESSION

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

RECOMMENDATION

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 22 March 2021	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments – April 2021	15(2)(g)
5.1	Lease Agreement Tenancy 4 Providore Place – 13-17 Oldaker Street Devonport	15(2)(b) & 15 (2)(g)

9 CLOSURE