



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, paranable centre, 137 Rooke Street, Devonport on Tuesday 26 April 2022, commencing at 5:30 PM.

The meeting will be open to limited members of the public and live streamed from 5:30 PM on Council's [YouTube channel](#).

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

21/04/2022

May 2022

Meeting	Date	Commencement Time
Planning Authority Committee Meeting	9 May 2022	5:15pm
Ordinary Council Meeting	23 May 2022	5:30pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL
HELD ON TUESDAY 26 APRIL 2022, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137
ROOKE STREET, DEVONPORT AT 5:30 PM**

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ATTENDEES

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

ACKNOWLEDGEMENT OF COUNTRY

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

IN ATTENDANCE

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

RECOMMENDATION

That the minutes of the Council meeting held on 28 March 2022 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 Janney, Mr Russell and Mr Smith at the March 2022 Council meeting be noted.

ATTACHMENTS

1. Response to Question Without Notice - 28 March 2022 - R Russell [**3.2.1.1** - 2 pages]
2. Response to Questions Without Notice - 28 March 2022 - D Janney [**3.2.1.2** - 1 page]
3. Response to Questions Without Notice - 28 March 2022 - T Smith [**3.2.1.3** - 2 pages]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

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

Mr Robert Vellacott - 11 Cocker Place, Devonport

A letter containing questions on notice received from Mr Vellacott on Saturday 16 April, is **reproduced as attachment 1**.

- Q1** I am aware that Council recently received a notice from the Tasmanian State Ombudsman to release certain information about Providore Place to a ratepayer; please inform -
- (a) when were all councillors first informed / made aware that there was, in fact, a Right to Information request had been made and was being processed?
 - (b) was legal advice obtained to try and avoid disclosing the information requested?
 - (c) if legal advice was obtained then what was the cost?

Response

The "Right to Information" (RTI) request to which you refer was received from yourself in October 2018, requesting ten items of information and was subsequently processed in accordance with Council's standard procedures. As you are aware the Ombudsman has now considered an appeal from yourself, disagreeing with one of the decisions Council made and upholding all the remaining decisions.

Legal advice was sought in considering the Ombudsman's determination, for which an invoice is yet to be received, but estimated to be in the order of \$1000.

- Q2** A recent site visit (13th April) to that part of Waterfront Parkland now opened to the public, which is situated behind the bus terminal, revealed that the sandy clay mixed gravel pathway and circular area was, at best, an utter disgrace with uneven sections due to wash away, sodden areas mixed in with tree leaves and circles of what appeared to be bicycle wheel ruts measuring up to 50 mm in depth.

In response to my question without notice asked at the DCC meeting 28th March 2022 – *"When will the sections of gravelled pathways be completed, i.e., paved, that are situated in the Waterfront parkland that is now opened to the public?"* The General Manager said words to the effect that they were not to be paved.

N. B. In no way whatsoever can it be construed that I accuse the contractor of poor workmanship, to the contrary because I believe the material used and placement is in accord with the job plans and specifications.

Therefore:

- i) do the surfaces of all the pathways/pedestrian areas comply with the Australian Standards especially for persons with mobility issues i.e. are they suitable for those with walking frames, gopher scooters etc?
- ii) are all the surfaces suitable to ride bikes on or for those wearing high heeled footwear?
- iii) who made the final decision to approve the plans and specifications for materials used?
- vi) will ratepayers now, in the meantime, be responsible for the cost to restore the surfaces to an acceptable level and maintain them until they are properly paved?

Response

The materials used are common in contemporary landscape projects throughout the country and are considered fit for purpose.

ATTACHMENTS

1. Questions on Notice - 26 April 2022 - Mr Vellacott [**3.2.2.1** - 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

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

5 REPORTS

5.1 WASTE STRATEGY 2018-2023 - YEAR 4 STATUS UPDATE

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

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

RECOMMENDATION

That Council note the status of actions listed in the 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 increased by 2.9% in 2020-21 to 16,072T, which is a new annual high and is 2.3% above the 2015-16 volume.
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 delivered a modern website with more than 95 online services available to the community. 10 additional services have been added in the last year.
There is an increase in the number of community events with active waste management plans from 1 July 2018.	Did not progress in 2021.
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.

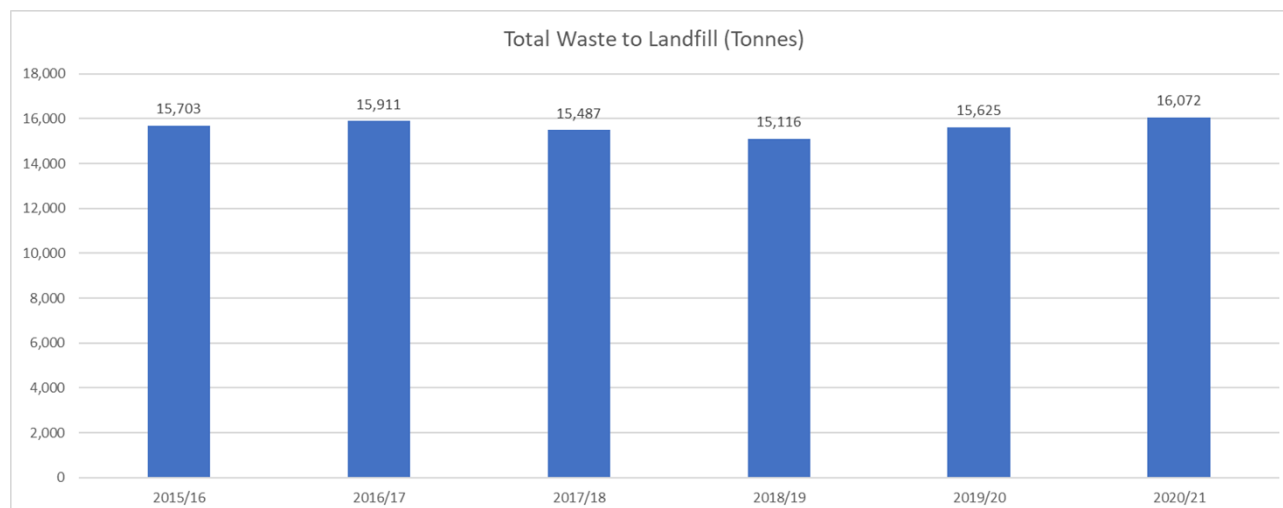


Figure 1: Total waste to landfill (Tonnes)

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%.	2020-21 recovery rate reduced to 18% Refer to Figure 2. This trendline supports the need to further incentivise waste diversion by consumers via mechanisms such as the proposed State-wide Waste Levy and the provision of a FOGO collection service.
Increase resource recovery options of business and personal items across Council facilities and operations.	Council accepts: <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 at the Spreyton WTS and diverts these from landfill to reuse or recycling opportunities
Range of community awareness and education programs delivered to encourage recycling	CCWMG contributed to regular content published on the Rethink Waste Facebook page and website.

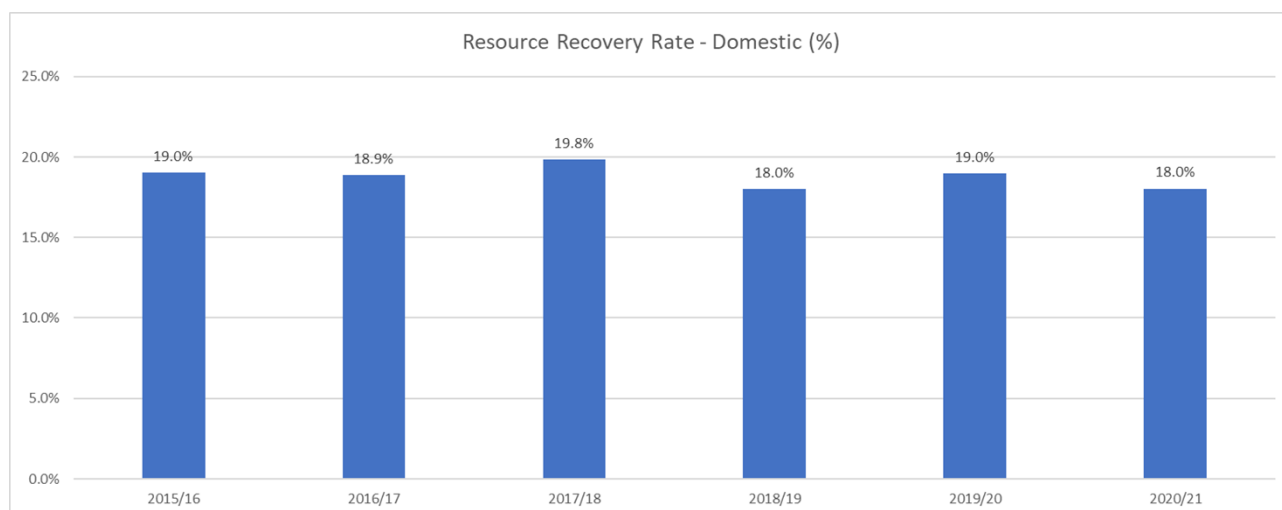


Figure 2: Resource recovery rate (domestic)

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 have increased from 2019-20 to 2020-21 as outlined in Figure 3. It is noted that this data tracks the number of reports, not individual instances of dumping or littering. Enhanced reporting and analysis to track individual dumping or littering events and estimated volume of dumped material will be investigated for inclusion in the updated strategy.
Involvement by community in action-based programs	The Devonport community were involved in groups and events aimed at cleaning up litter including: <ul style="list-style-type: none"> • Clean Up Australia Day (various groups) • Zonta • Friends of Don Reserve

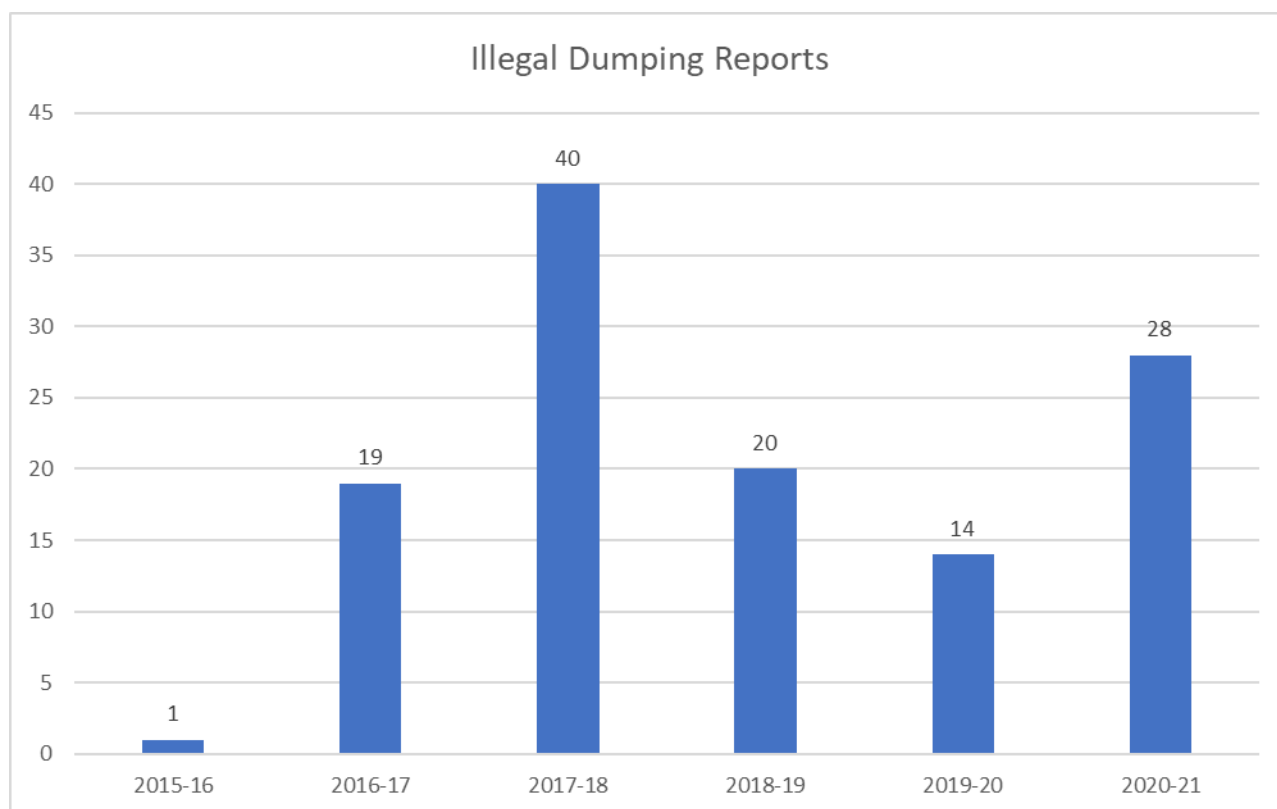


Figure 3: Illegal dumping reports

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%

In the next 12-18 months, the waste industry is undergoing some significant changes:

- Introduction of a compulsory Waste Levy under the *Tasmanian Waste and Resource Recovery Act 2022*
- Introduction of a Container Refund Scheme in Tasmania
- Development of the Dulverton landfill site, to facilitate the acceptance of kerbside FOGO material for processing

These three changes will enable Council to change its services and operations to make significant improvements against the key success measures in which it is underperforming.

Analysis of the current kerbside services and the WTS identify opportunities for Council to adapt to the new legislation resulting in long term community benefits. These include:

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

Council has made a \$500,000 budget allocation in 2021-22 for improvements at the WTS and planning work has commenced. Further allocations will be required.

An awareness and education campaign will need to accompany any major changes as there is significant behavioural change required from some existing users 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

Community engagement was not 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. Identified success measures have not been met in year four of the five-year strategy. Major industry changes and appropriate budget allocations will enable Council to meet and exceed the targets set in 2018.

ATTACHMENTS

1. Waste Strategy 2018-2023 - Year 4 Status - action list [**5.1.1** - 3 pages]

5.2 NATURE STRIP POLICY

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

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

RECOMMENDATION

That Council endorse the Nature Strip Policy for a public consultation period of 30 days.

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

SUMMARY

This report proposes a Nature Strip Policy to be adopted by Council, to improve outcomes associated with the management of nature strips in the urban area of Devonport.

BACKGROUND

A nature strip is the strip of land between the property boundary and edge of the road. Most nature strips are grassed, whilst others have varying extents of planting and hard landscaping. It is an established practice that the adjacent property owner maintains the nature strip. Property owners' approach to the management and maintenance of nature strips vary. Council staff regularly receive inquiries regarding nature strips that are not currently supported by a relevant Policy.

The proposed Policy intends to outline the appropriate standards and management practice for nature strips in Devonport, providing flexibility while considering issues such as public safety and protection of underground and overhead assets.

Council has adopted a Driveway Policy, a Stormwater Connection Policy and a Retaining Wall Policy to provide clear communication regarding the interface of private property and public land. The proposed Nature Strip Policy has a similar purpose.

STATUTORY REQUIREMENTS

Other jurisdictions have introduced by-laws or their equivalent to assist in the management of nature strips, as there is otherwise no legislation specifically regarding nature strips.

However, Section 21 of the *Local Government (Highways) Act 1982* describes Council's general responsibilities regarding the road network.

21. General responsibility of corporations

(1) Subject to this Act, the corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.

(2) For the purposes of the discharge of its duties under this section in respect of a highway, a corporation may carry out such works as it considers necessary for the maintenance or renewal of any bridge, embankment, or other work carrying, or otherwise associated with, the highway.

DISCUSSION

Traditional grassed nature strips:

- Contribute to the amenity of the street
- Allow runoff to absorb into the soil, instead of increasing the load in the stormwater system
- Provide a corridor for underground services

If planted with trees and shrubs, nature strips provide environmental benefits including:

- Habitat and food for insects and birds
- Shade
- Cooling
- Additional visual amenity of the street

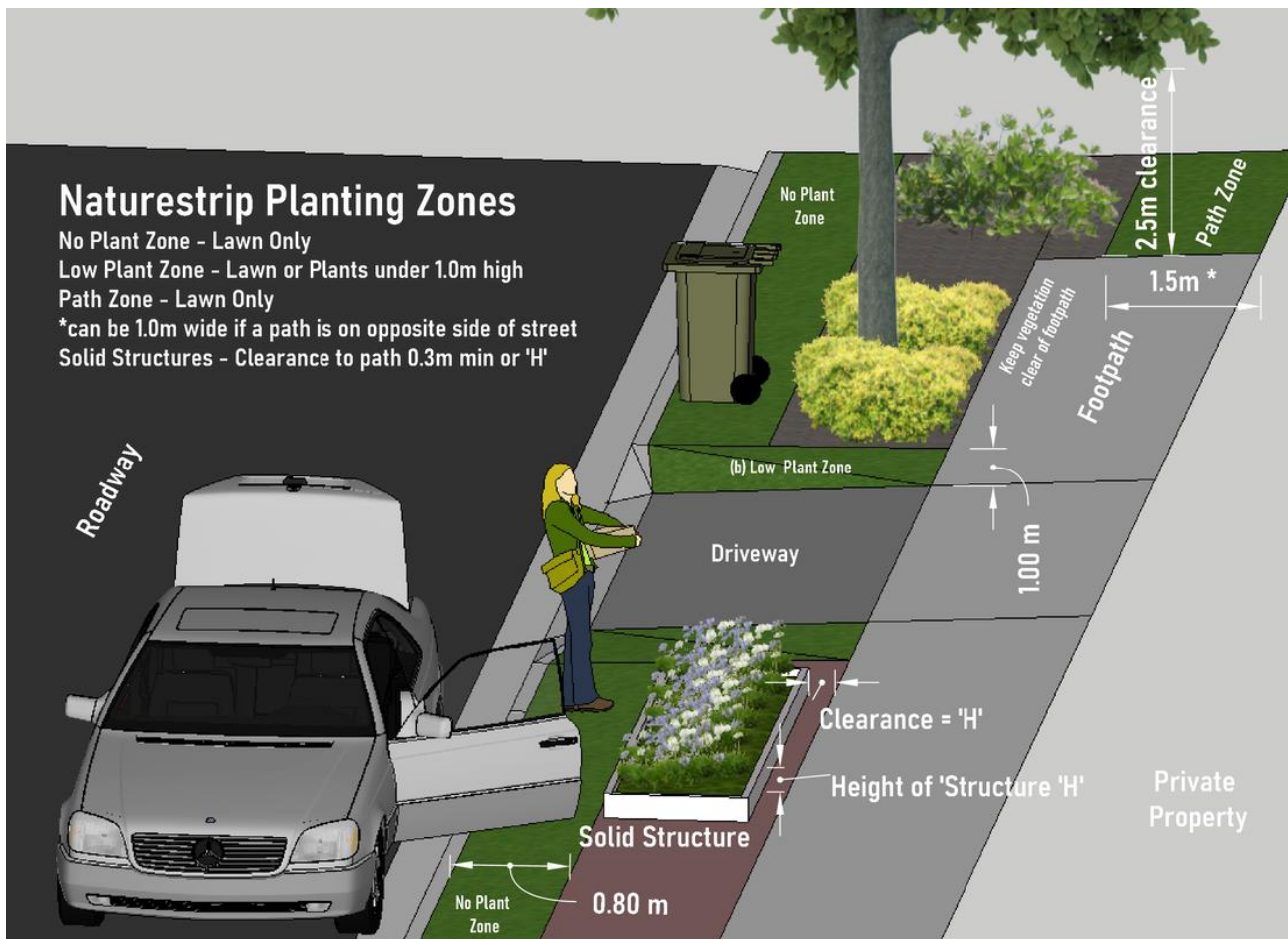
Inappropriately constructed or maintained nature strips can:

- Create a risk to path or road users
- Increase stormwater runoff
- Damage adjacent assets, including underground services

The proposed Policy describes what property owners can do on their nature strip, what property owners cannot do, and Council's obligations and powers. The proposed Policy provides flexibility to plant trees, shrubs, grass, flowering or edible plants, undertake minor landscaping or replace grass with mulch or synthetic grass. A landowner is not permitted to plant or install anything that creates a safety hazard for motorists or pedestrians or is likely to impact Council or third-party assets. Items planted or installed by a property owner must not occupy the space on the nature strip required for a pedestrian path, bin collection or car door opening.

Council maintains avenues of street trees in nature strips as well as garden beds in high profile areas. Council may undertake mowing of nature strips to address a safety hazard. The proposed Policy allows Council to undertake a risk assessment on a nature strip and direct the property owner to undertake work to address an identified risk. If a property owner fails to follow a direction made by Council regarding a nature strip, Council may undertake work and may seek to recover costs from the property owner.

Details are provided in the attached Policy and in the figure below, which is also included in the Policy.



The proposed Policy has been designed to minimise its administration. It does not include an approval process, so if property owners are acting within the Policy, there is not a requirement to seek Council approval. This is the simplest approach for both property owners and Council.

COMMUNITY ENGAGEMENT

The proposed policy has been developed by assessing nature strips that have been developed in various ways around Devonport. Although the Policy is not intended to apply retrospectively, it has been developed using real local examples and aligns with the current understanding of community expectations.

By undertaking a public consultation process before adoption, Council will have the opportunity to consider feedback received from the community and if required, make changes to the Policy before adoption.

There is potential for this Policy to be of interest to the community as most urban properties have a nature strip. However, the proposed Policy is intended to provide flexibility rather than restriction for property owners.

FINANCIAL IMPLICATIONS

There are no financial implications resultant from this report.

RISK IMPLICATIONS

- Asset & Property Infrastructure
The proposed Policy assists Council to protect its own assets as well as assets of utilities that occupy the road reserve.
- Risk Management Practices

The proposed Policy responds to identified risks associated with the use of nature strips, including pedestrian safety, traffic safety, protection of underground and overhead assets and the risk of additional stormwater runoff (from impervious surface).

CONCLUSION

A Nature Strip Policy has been developed to clarify Council's expectations of property owners with respect to maintenance of nature strips. The proposed Policy provides property owners with flexibility to enhance the nature strip to their own taste, while including measures to ensure public safety and protect overhead and underground assets.

Undertaking a period of public consultation for the proposed Policy will ensure the community has an opportunity to review the Policy and provide feedback prior to adoption.

ATTACHMENTS

1. Nature Strip Policy 2022 - DRAFT [**5.2.1** - 6 pages]

5.3 RENAMING OF DON RESERVE HALL

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

RECOMMENDATION

That Council

1. rescind resolution 6620/07 (Recognition of Civic Service Award, meeting of 4 June 2007) and assess any decisions relating to the recognition of civic service against Clause 5 of its Commemorative Seat Policy and;
2. in accordance with clause 5 of its Commemorative Seat Policy re-name the Don Hall Reserve to the John Luck Reserve.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

The purpose of this report is to rescind Council resolution 6620/07 (Recognition of Civic Service Award) and for Council to determine if it wishes to support the proposal to rename the Don Hall Reserve, the "John Luck Reserve".

BACKGROUND

A Notice of Motion from Councillor Laycock was tabled at Council's March 2022 meeting (Closed Session), calling for the re-naming of the Don Hall Reserve, the "John Luck Reserve".

As a result of the motion Council resolved (refer Min 22/62):

"That this council consider re-naming the Don Hall Reserve to "John Luck Reserve" in honour of John Luck being appointed Devonport's first Warden."

John Luck was a significant figure in the formative years of Devonport and beyond. He was heavily involved in local government and business, sporting and community activities.

The Don Hall Reserve has been identified as a suitable place to memorialise and honour Mr Luck. This specific location is supported by the presence of the Dell Luck Reserve in close proximity, named in honour of Mr Luck's late wife Dell, as a way of commemorating the significant contribution the couple made to Devonport and its community.

Previously, some motions for re-naming of parks, reserves or open spaces, have been considered under Council's Recognition of Civic Service Award and associated guidelines. These guidelines have been in place since June 2007, and have been used sparingly, with only two Devonport residents bestowed the honour since the Award was introduced. The guidelines are quite prescriptive and restrictive, in that they call for the convening of a special panel, comprised of the Mayor, General Manager and three selected members of the community to consider the nomination. There is a risk with this approach that the community members selected to form this panel may be chosen quite subjectively, and therefore reduce the transparency and objectivity of the decision-making process.

With the introduction of a Commemorative Seat Policy (re-endorsed at Council's August 2021 meeting), memorials such as the one proposed, may be considered within the

framework of this Policy, with Councillors making the ultimate decision to recognise the individual or organisation. As Councillors are popularly elected representatives of the community, it is considered that they, as community representatives, are adequately credentialed to assess and determine proposals to name or rename a public space or reserve and can reach their decision objectively and with the community interest front of mind. With nine elected members this also provides a broader decision-making process than the five person committee structure.

At the next scheduled review of this policy it would be appropriate to rename the policy with a title which more accurately reflects the broader scope of the document.

STATUTORY REQUIREMENTS

In accordance with section 14 of the *Place Names Act 2020*, Council as a responsible authority for a place, may:

- "(2) (a) name the place;*
(b) alter, or revoke, an approved name for the place;
(c) alter, clarify, extend or reduce the location, boundary or extent of the place".

The responsible authority is to ensure that any naming action complies with:

- "(3) (a) the relevant provisions of the guidelines; and*
(b) this Act and any other applicable Act; and
(c) the relevant procedures of the responsible authority".
- (4) As soon as practicable after performing a naming action in respect of a place, the responsible authority for the place is to submit details of the action to the Registrar for recording in the register".*

The Registrar may only refuse to record a naming action if:

- "(5) (a) the naming action results in –*
(i) a name for a place that does not comply with the guidelines; or
(ii) a name for a place that is an approved name for another place; or
(b) prescribed circumstances exist in relation to the name".

The parcel of land is also listed on Council's Public Land Register as "Don Memorial Hall Reserve" (PID 7146061; CT145126/1). Whilst there are no legislative requirements from a public land perspective in re-naming the reserve, any re-naming will require an update of Council's Public Land Register, which is a requirement under s177A of the *Local Government Act 1993*.

DISCUSSION

John Luck was considered a visionary, and an energetic man of sound judgement. He loved Devonport and worked tirelessly for, and within the town. He managed to balance his work with public pursuits, and proactively sought to advance Devonport, through his ability to identify the town's future needs and objectives to address a developing town and its community.

Mr Luck's contribution to Devonport and the community include:

- His flour mill being one of the town's largest employers
- His association with and membership of the town board (including the positions of Chairman and Warden – first Warden of the Devonport Municipal Council in 1908)

- Helping secure the road entrance into Devonport from Spreyton (and beyond)
- Playing a leading role in securing the town's water supply
- Being commemorated on the foundation stone of the Town Hall
- Filling the position of councillor for a considerable period
- A proponent of the resolution to form the North-Western Tourist Association
- Membership of the first chamber of commerce in Devonport
- A representative on the fire board
- His promotion and popularising of the Bluff (with the extension of Victoria Parade towards the Bluff originally known as Luck's Parade as a tribute to this)
- His interest in horses, including a post as secretary of the Devonport Racing Club (a club he also formed)
- His technical expertise, particularly relating to engineering and design
- His role in business as the Licensee of the Formby Hotel, and later as owner of the Palace Hotel.

From a familial perspective, John's wife, Dell, has previously been commemorated for her contribution to Devonport and the community, via the naming of another reserve at the Don, as the "Dell Luck Reserve". This Reserve is located directly across Forth Road from the Don Memorial Hall Reserve, proposed for renaming in her husband's honour.

For administrative purposes, as consideration of the proposal to re-name the Don Memorial Hall Reserve, the "John Luck Reserve", and the proposal for future requests to rename public space, reserves or public facilities to be considered in line with the terms of the Commemorative Seat Policy (Clause 5), the rescinding of Council resolution 6620/07 is required. As it has been determined that the Civic Service Award and its associated guidelines are redundant, owing to the Commemorative Seat Policy incorporating provision for the consideration of "other memorials", Council is required to rescind resolution 6620/07. This report supports the rescinding of this resolution to facilitate the assessment of this and future requests under the Commemorative Seat Policy framework.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

The only cost outlay, in the re-naming of the public space, would potentially be for any signage that was to be erected to denote the new place name. There may also be costs incurred for the purchase and placement of a plaque.

RISK IMPLICATIONS

- Consultation and/or Communication
As it is proposed that the determination to re-name this parkland be made by Councillors only, there may be a risk of critical public sentiment with the decision being made independent of a public consultation process.

CONCLUSION

It is recommended that Council Resolution 6620/07 be rescinded, and the current request to rename a Council reserve, and all future requests to rename Council reserves, parks and facilities, be administered under the Commemorative Seat Policy. Further, Council should note the contribution that Mr John Luck made to Devonport, in determining the current proposal to rename the Don Hall Reserve in his honour, and whether his contribution to Devonport and the community is befitting of the honour of the renaming of this park, the "John Luck Reserve".

ATTACHMENTS

1. Information from DCC archives relating to Mr John Luck [**5.3.1** - 2 pages]

5.4 ADDENDUM TO INSTRUMENT OF DELEGATION FOR GENERAL MANAGER - LEGISLATIVE UPDATES

Author: **Claire Jordan, Governance Officer**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council pursuant to section 22(1) of the *Local Government Act 1993*, authorise the delegation of the updated functions and powers contained in the Addendum to the Instrument of Delegation for the General Manager and in accordance with section 64 of the Act, authorise the General Manager to delegate these additional functions and power to Council employees, where required.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report is provided to detail updates to the powers and functions to be delegated to the General Manager by Council, following a recent audit of the Local Government Association of Tasmania's (LGAT) model delegations register undertaken by Simmons Wolfhagen.

BACKGROUND

The General Manager's delegations were most recently adopted on 24 January 2022 (Res. No. 22/7). Council's delegations to the General Manager are generally based on model delegations produced by LGAT.

Simmons Wolfhagen have recently reviewed LGAT's Model Delegations Register, and have identified various legislative amendments, new legislation and additional powers and functions for delegation, that were not included in the General Manager's Instrument of Delegation at the time they were last adopted in January 2022.

The amendments identified from this legal review are not significant. The attached Addendum details those new powers and functions proposed for delegation from Council to the General Manager and are to be approved for appending to the General Manager's current Instrument of Delegation.

STATUTORY REQUIREMENTS

In accordance with Section 22 of the *Local Government Act 1993* (the Act), Council may delegate its functions and powers to the General Manager to facilitate efficient and effective management of operations and legislative compliance. In accordance with Section 64 of the Act, the General Manager may delegate powers and functions to appropriately qualified and/or experienced Council officers.

Council, in its role as Planning Authority, may also delegate its functions and powers to prescribed employees, including the General Manager, under Section 6 of the *Land Use Planning and Approvals Act 1993* (LUPAA 1993).

LUPAA 1993 delegations are authorised separately and were last delegated by Council, as the planning authority, to the General Manager and relevant Council employees on 26 April 2021 (Min Ref.21/71).

DISCUSSION

The following sections of legislation are to be included in the Addendum to the General Manager's Instrument of Delegation, and sub delegated where appropriate.

These sections of legislation were highlighted following a review of LGAT's Delegations Register and were identified as not being included in the General Manager's delegations adopted in January 2022. These powers and functions are deemed to be necessary and required.

Legislation	Section
<i>Building Act 2016</i>	s8(3) Delegation
<i>Environmental Management and Pollution Control Act 1994</i>	s64 Recovery of technical costs associated with prosecutions
	s103 Fees imposed by councils
<i>Traffic Act 1925</i>	s41CA Declaration of road for use by personal mobility devices
<i>Dog Control Act 2000</i>	s7 Dog management policy
<i>Monetary Penalties Enforcement Act 2005</i>	s28(4) Application to fee-paying public sector body for variation of payment conditions
<i>Place Names Act 2020</i>	s11(2) Naming of roads, streets
	s11(3) Naming of roads, streets
	s11(4) Naming of roads, streets

COMMUNITY ENGAGEMENT

No community engagement undertaken as a result of this report.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

- Legal Compliance
Legal implications are possible if correct delegation instruments and processes are not in place, adhered to, or enforced correctly, or if directives are issued or authorised without the required supporting documentation and authority having been given.
- Risk Management Practices
It is a significant risk to Council, legally and financially, if the General Manager (and in turn, relevant Council officers) is not formally delegated appropriate powers and authority to perform the duties and functions assigned to the position.

CONCLUSION

Council approval is required for delegations issued under various legislation and statutory appointments. This Addendum captures sections of legislation that were not included in the General Manager's Instrument of Delegation when last adopted in January 2022, and

are required powers and functions, requiring delegation from Council to the General Manager.

ATTACHMENTS

1. Addendum to Instrument of Delegation - April 2022 - Post LGAT Delegations Register Review [**5.4.1** - 2 pages]

5.5 TEN DAYS ON THE ISLAND PARTNERSHIP PROPOSAL

Author: **Geoff Dobson, Convention & Art Centre Director**
Endorser: **Kym Peebles, Executive Manager People & Finance**

RECOMMENDATION

That Council note the partnership proposal from Ten Days on the Island and consider a request for \$25,000 in financial support towards the 2023 festival as part of the 2022/23 budget deliberations.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report provides Council with details of a partnership proposal that was presented to Council by Tasmanian arts and cultural festival producers, Ten Days on the Island (TDOTI). The proposal relates to the closing event of the upcoming TDOTI festival to be held in March 2023. The event, titled mapali, is intended to be performed in Devonport.

BACKGROUND

Established in 2001, TDOTI is a Tasmanian not-for-profit arts organisation that presents a biennial state-wide arts festival.

In March 2019, TDOTI introduced a community cultural performance, titled mapali dawn gathering. It was performed as the opening event of the program, at the Devonport Bluff, during sunrise. At the time, the event received outstanding community support and praise.

The event was developed by local indigenous arts leader, David mangenner Gough and included local performers, multiple community groups and individuals. It attracted an estimated audience of 500, however anecdotal reports from attendees suggest the audience was significantly greater.

Due to the success of mapali dawn gathering in 2019, TDOTI repeated the event as the opening of the 2021 festival. The event was performed at the Burnie foreshore to an estimated audience of 1030.

In March 2023, TDOTI intend to present mapali as the closing event of the festival. The intended location is both the eastern and western foreshore of the Mersey River. Specifically Shipwreck Beach on the eastern side and the Victoria Parade foreshore, leading to the Waterfront Park, on the western side. It is intended the event will include activity on the river.

In April 2022, TDOTI presented Council with a partnership proposal that included a \$25,000 cash contribution to the cost of the event.

STATUTORY REQUIREMENTS

There are no statutory requirements associated with this report. However, if Council does endorse the partnership proposal, Council will have no artistic or logistical control of the event, mapali, and any statutory requirements associated with the presentation of the event will be the responsibility of Ten Days on the Island.

DISCUSSION

TDOTI intend to present mapali as the closing event of the March 2023 festival. Event developer, David mangenner Gough, has provided Council with a vision for mapali 2023, that includes activity on both the eastern and western foreshores of the Mersey River, as well as activity on the Mersey River to link the two locations.

TDOTI have presented Council with a partnership agreement, requesting a cash contribution for the event of \$25,000. The partnership agreement includes details of the overall cost of presenting mapali, estimated to be \$142,335, plus an additional \$91,655 for marketing, administration, and staff overheads.

The partnership agreement aligns Council's cash contribution directly to local artists fees, local program support staff, site preparation and associated infrastructure. TDOTI has indicated a Tasmania-first supplier preference, implying Council's contribution will directly benefit the local economy.

Council will be recognised a partner to the event, promoted in TDOTI marketing materials, including 25,000 printed brochures and additional digital media.

TDOTI anticipate a total audience more than 2,000 will attend the event. Furthermore, TDOTI provided Council with research indicating that approximately 60% of all TDOTI audiences travel out-of-region to attend festival events. Based on these estimates, mapali 2023 could attract approximately 1,200 people from out-of-region to Devonport for an evening event, resulting in a significant community economic benefit to tourism and hospitality operators.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken in compiling this report.

FINANCIAL IMPLICATIONS

The partnership proposal requests a cash contribution of \$25,000. This represents a previously unbudgeted expense, that if endorsed will result in an additional operational budget allocation in the 2022/23 operational budget.

RISK IMPLICATIONS

TDOTI will be responsible for the delivery of the event as part of their wider program. Council officers will review the Partnership Agreement to ensure limited liability for Council should the event not go ahead for any reason.

CONCLUSION

The event, mapali, has become synonymous with the Ten Days on the Island biennial arts festival. Arguably the event is the largest community derived event of the festival, attracting equally large audiences and engagement. The 2019 iteration, at the Devonport Bluff, received outstanding media coverage and community support. Similarly, the 2021 event in Burnie, demonstrated the capacity of the event to expand and grow.

As described by the event developer, David mangenner Gough, mapali 2023 has the potential to be the largest of all three iterations, resulting in strong community support and engagement.

TDOTI has requested Council partner with the event, resulting in direct financial support of local artists, individuals and suppliers. The event is likely to have a positive economic benefit for local tourism and hospitality operators.

ATTACHMENTS

1. Devonport CC Presentation Ten Day on the Island mapali 2023 **[5.5.1 - 25 pages]**

5.6 LOCAL GOVERNMENT REVIEW

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council endorse the attached submission to phase one of the Tasmanian Government's Future of Local Government Review and make a copy of the submission publicly available on its website.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.1.1 Promote open communication and cooperation whilst representing Council at a regional, state and national level

SUMMARY

Following a Council workshop, a submission to the Future of Local Government Review has been prepared for Council's endorsement.

BACKGROUND

The Future of Local Government Review has been commissioned by the Tasmanian Government to ensure the State's local government is robust, capable, and ready for the challenges and opportunities of the future.

The Review is described on the Government's web site as an ambitious, generational opportunity to explore the role, function, and design of local government in Tasmania.

The Minister for Local Government and Planning has appointed five members to the Local Government Board, which also includes the Director of Local Government, to undertake the Review. The Board is chaired by the Hon Sue Smith AM.

The Future of Local Government Review commenced in January 2022 and will take approximately 18 months to complete, involving three stages of approximately six months each.

Stage 1 - will focus on community engagement and research to understand what Tasmanians expect from local government and the needs, challenges and opportunities councils will meet in the future.

Stage 2 - focusses on the identification and development of opportunities for reform, and the testing of these ideas through focussed engagement and further research and exploration.

Stage 3 - includes the evaluation of options and the delivery of practical recommendations to the Tasmanian Government, along with advice about the implementation of reforms and transition.

Submissions to Stage one can be made up until 5 May 2022.

A [Future of Local Government Review](#) website has been created and contains information regarding the review including research papers and comparative data on each of Tasmania's 29 Councils.

STATUTORY REQUIREMENTS

The Local Government Board, established to undertake the review, has been appointed by the Minister for Local Government under section 210 of the *Local Government Act 1993*.

DISCUSSION

Following the Council workshop on 11 April, a Devonport City Council submission (provided as a confidential attachment) has been drafted for endorsement and forwarding to the Local Government Board.

Rather than indicate a view on what should or should not occur in other parts of the State, the draft submission focuses solely on the Devonport region and what is best for the communities in this part of Tasmania.

Each of the 44 listed functions and activities of local government identified in the review are considered as to whether these activities would be best delivered under the existing Council structures or under a new larger authority.

The submission aims to outline the logic in the adjustment of existing Council boundaries to best position this region for the challenges and opportunities of the future. It outlines details regarding the natural synergies of the existing Councils, the long-term benefits of structural change, alternatives to amalgamation, the historical context and realistic opportunities to address the obstacles which have previously prevented major change.

It is Council's expectation that the responsibilities and community expectations of Local Government will increase over time. A larger Council authority will be better able to adapt and finance the increasing demands and changing responsibilities. It would create an organisation of sufficient size and scale that could promote the region as one and be able to compete nationally and even globally with other similar locations.

COMMUNITY ENGAGEMENT

The Future of Local Government Review will include significant community consultation, with community pop-up sessions having already occurred in Devonport in recent weeks.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

The submission does suggest a change to the status quo in relation to local government in this region and as with any significant change, it is likely that Council's position will attract some criticism.

The submission aims to address this by considering issues in a purely logical, rather than emotive, manner and presents a clear, rational model for the future of local government in this region.

CONCLUSION

A submission to the Future of Local Government Review has been prepared for Council's endorsement. The submission reflects the sentiments of Councillors at a recent workshop and outlines the logic in the creation of a larger local government authority to serve the Devonport region in the decades to come.

ATTACHMENTS

Draft DCC Submission (confidential attachment)

5.7 DRAFT GREATER DEVONPORT RESIDENTIAL GROWTH STRATEGY 2021-2041 - RELEASE FOR CONSULTATION

Author: **Matthew Skirving, Executive Manager City Growth**
Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the report relating to the draft *Greater Devonport Residential Growth Strategy 2021-2041*, and endorse the release of the draft strategy for a period of public and key stakeholder consultation.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|--|
| Strategy 2.1.1 | Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use |
| Strategy 3.4.2 | Promote, encourage and develop initiatives that support the local economy |

SUMMARY

This report presents the Draft *Greater Devonport Residential Growth Strategy 2021-2041* for noting by Council, and endorsement to commence a period of public and key-stakeholder consultation, prior to presenting the final strategy to Council for adoption.

BACKGROUND

Council's 2021/22 Annual Plan included Strategic Action 2.1.2 Develop and Adopt a Residential Strategy for Devonport. The draft strategy represents the content developed in achieving this action.

STATUTORY REQUIREMENTS

There are no specific statutory requirements in relation to this report.

Discussion on the purpose and function of the draft strategy, as it relates to strategic land use planning and the associated legislative mechanisms within the State, is contained in the draft strategy document.

DISCUSSION

The purpose of the Greater Devonport Residential Strategy 2021-2041 (the Strategy) is to provide an overarching strategic policy direction for residential growth in the greater Devonport area over the next 20 years. First and foremost, the Strategy is designed as a policy and advocacy tool.

The Strategy includes an aspirational context for population growth to recognise and enhance Devonport's status as the major population centre in the North-West region of Tasmania and to promote Devonport as an attractive and prominent destination to live, work and invest.

A key element of the Strategy is an aspirational target for population growth along with the background context and data to promote the greater Devonport area as an attractive and prominent destination to work, live and invest.

The Strategy endorses and promotes future population targets of:

- a. 30, 000 by the year 2030; and
- b. 35, 000 by the year 2040.

It represents a plan for continued growth that seeks to build upon the economic confidence and positive momentum for growth catalysed by Council's recent LIVING CITY urban renewal initiative.

The Strategy is based around five central policy directions:

1. *aspirational population growth;*
2. *residential land supply;*
3. *strategic direction for future residential growth;*
4. *providing diversity in housing options; and*
5. *monitoring and review.*

In preparing the Strategy, a series of Frequently Asked Questions and answers (FAQs) has been developed in order to assist with the consultation process. It is proposed that Council's established online consultation platform is utilised to facilitate the consultation process. The draft strategy, supporting documentation, FAQs, and a survey be published online to facilitate community feedback and input into the strategy.

On completion of the consultation period, a final strategy will be presented to Council for adoption. The final strategy document will take into account the feedback received, and final authoring and compilation of the report.

COMMUNITY ENGAGEMENT

This report seeks endorsement from Council to commence a period of public and key stakeholder consultation.

FINANCIAL IMPLICATIONS

There are no financial implications relating to the specific actions arising from this report.

RISK IMPLICATIONS

- Consultation and/or Communication
Consulting on the draft Strategy enables the community and key stakeholders to have input into a document that will inform decision making.

CONCLUSION

The Draft *Greater Devonport Residential Growth Strategy 2021-2041* has been prepared to guide the future growth and prosperity of Devonport as the primary population centre in our region.

Release of the draft Strategy for a consultation period will provide the community with an opportunity to provide input before the Strategy is adopted by Council.

ATTACHMENTS

1. Draft Greater Devonport Residential Growth Strategy 2021-2041 [**5.7.1** - 21 pages]
2. Appendix A - map showing existing residential zoned land (current at 1 January 2022) [**5.7.2** - 1 page]
3. Appendix B - Map showing growth boundaries and future investigation areas [**5.7.3** - 1 page]
4. FAQs document [**5.7.4** - 7 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
11 April 2022	Ten Days on the Island	Update on the 2023 festival
	Tourism Strategy	Review of draft Tourism Strategy
	Mersey River & Yacht Club redevelopment	A discussion regarding challenges associated with the Mersey River and redevelopment plans for the Mersey Yacht Club
	Waste Management	An overview of current Waste Management planning activities
	LG Reform Submission	Consideration of draft LG reform submission

6.2 MAYOR'S MONTHLY REPORT

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report details meetings and functions attended by the Mayor.

BACKGROUND

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

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In her capacity as Mayor, Councillor Annette Rockliff attended the following meetings and functions between 23 March and 19 April 2022:

- Council meetings and workshops
- Regular meetings with General Manager
- Catch ups with staff members and councillors as required.
- Met with community members on a range of topics
- Media as requested: The Advocate, Coastal FM, Mel Bush (ABC Evenings), Darren Kerwin (7AD)
- Attended the Mersey Scout Association Annual General Meeting
- Conducted a Citizenship Ceremony
- Met with Headstone Project team and families of those honoured at the Devonport Cemetery
- Attended a community breakfast at Eveline House
- Attended the Devonport Car Show
- Attended the launch of Spreyton Primary School's local history room
- Attended the launch of the new Gran's Van and facilities trailer
- Attended the launch of Reclaim 2022 Youth Week programme
- With the General Manager, met with Don River Railway CEO and Chair
- Attended the Maidstone Park Committee meeting
- Met with organisers of the National Indoor Bowls Championships
- Attended Tasmanian Suicide Prevention Committee meeting
- With the Cradle Coast Authority CEO, met with the organiser of the SEGRA (Sustainable Economic Growth for Regional Australia) 2022 conference to be held in Devonport in September
- Attended the Youth Market
- Spoke with Grade 3 and 4 students at Miandetta Primary about Local Government
- Attended the Elected Members and Council Staff workshops led by LGAT to discuss the Local Government Review
- Attended the launch of the NW Thunder 2022 season

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT

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 23 March and 19 April 2022. It also provides information on matters that may be of interest to Councillors and the community.

BACKGROUND

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

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Met with the new General Manager of the Don River Railway, Mr Eamon Seddon as an introduction and received a briefing on their proposed redevelopment plans.
- 1.4. Attended Council's Audit Panel meeting.
- 1.5. Met with the new Managing Director of National Trust Tasmania, Mr Scott Carlin as an introduction and for a general discussion on Home Hill and Council's Partnership Agreement with the Trust.
- 1.6. Attended the second meeting of the Hillcrest Affected Area Recovery Committee.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Met with representatives of the fishing fraternity, the Yacht Club and TasPorts for a briefing on a proposed Marina and Yacht Club redevelopment in East Devonport.
- 2.2. Met with the CEO of Indie School, Mr Rod Wangman regarding their ongoing lease of Council's building.
- 2.3. Attended the launch, by the Deputy Premier, Hon Jeremy Rockliff MP, of the Action Against Homelessness' new shower and washing facility, which will be operated by Gran's Van.
- 2.4. Attended the Reclaim the Lane launch by the Deputy Premier, Hon. Jeremy Rockliff MP, as part of Youth Week at the RANT Arts venue in Stewart Street.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Attended the LGAT General Managers workshop held in Launceston.
- 3.2. Attended the Local Government Leadership Summit in Canberra.
- 3.3. As State Director attended a board meeting of Local Government Professionals Tasmania.
- 3.4. Attended the LGAT hosted forum for Officers in relation to the Future of Local Government Review held in the paranapple centre.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. An updated copy of Council's funding opportunities document (as previously circulated to Councillors) was distributed to local candidates and major political parties contesting the upcoming Federal election. The document includes key projects from Councils forward works program, with the major request being \$30M to progress the Sports Infrastructure Masterplan.

5. OTHER

- 5.1. The Auditor-General has recently tabled in parliament his annual report into the financial statements of State entities (includes local government authorities). A full copy of the report can be found on the [Tasmanian Audit Office web site](#). The report highlights Devonport City Councils relatively strong financial position in comparison to other Local Government Authorities.
- 5.2. At its meeting in February 2022 Council resolved to commence the rezoning process of 86A Gunn Street (former showgrounds) and to place the rezoning application on public exhibition for 28 days. This public consultation period has now ended, and no representations were received. On this basis Council is not required to further consider the matter and it has been forwarded in accordance with delegations under the *Land Use Planning and Approvals Act 1993* to the Tasmania Planning Commission.

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 - April 2022 [**6.3.1** - 1 page]

6.4 INFRASTRUCTURE AND WORKS REPORT

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

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

RECOMMENDATION

That Council receive and note the Infrastructure and Works report and approve the addition of \$25,000 of external funding to the Capital Works Program for the project at the East Devonport Recreation Centre.

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 2022 and March 2022.

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. Work is continuing on projects listed in the 2021/22 Capital Works Program. Due to saturation in the building and civil constructions industries, they are generally unable to take on new work in the short term. This appears to be a result of residential building subsidies, stimulus funding packages and material supply chain disruptions. As a result, projects will be delivered later than originally intended, with many to be constructed in 2022/23, which will have a knock-on effect for projects funded in that year.
- 1.2. Webberleys Road project is underway, with completion expected in April. The scope of work includes stormwater upgrades and sealing the road.



- 1.3. The paranaple arts centre solar panel installation is complete with the 55kW system operational. The system output accounts for peak daytime use of the centre.



- 1.4. The River Road path project is complete, providing a continuous path between Oakwood Drive and Ambleside. This section form part of the Coastal Pathway and joins the section completed in 2021.



- 1.5. The Devonport Football Club changeroom upgrade project is complete. The changerooms were made available for the AFL game on March 5 and have subsequently been handed over to the club.
- 1.6. Four basketball backboards were replaced in the main stadium of the Devonport Recreation Centre.
- 1.7. 40 new columns have been installed in the Memorial Garden at Mersey Vale Memorial Park. This work creates 200 additional niches for placement of ashes, which continues to be a popular option.



- 1.8. Work is underway at the East Devonport Recreation Centre to improve access for users to the site as the Department of Health plan to vacate the building but continue to occupy the car park area. The scope of works includes a path to rear entrance to the stadium, external lighting improvements and improvements to the security system. The work has been fully funded by the Department of Health. As part of the recommendation to this report it is suggested Council formally add these additional works to its 2021/22 Capital Works Program.



- 1.9. Council's engineering team has been working with TasPorts to assess the opportunity for stormwater capacity upgrades through the port, undertaken in conjunction with the Quaylink project. Council has a \$200,000 allocation for the John St stormwater catchment, which will likely be utilised for this work, rather than for detention storage near the East Devonport recreation Centre as originally intended.
- 1.10. Council has received approval for projects nominated to the Local Roads and Community Infrastructure Program – Phase 3 (Min 21/281 and Min 22/36 refers). Additional projects will be identified in the 2022/23 program for Council to nominate, up to the \$314,466 balance of Council's allocation.
- 1.11. Work to commence April and May includes:
- Coastal pathway – Don to Leith
 - North Fenton Street renewal and stormwater improvements
 - Highfield Park nature play area
 - Horsehead Creek toilet block
 - Fourways street furniture renewal
 - Victoria Parade boat ramp lighting

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.

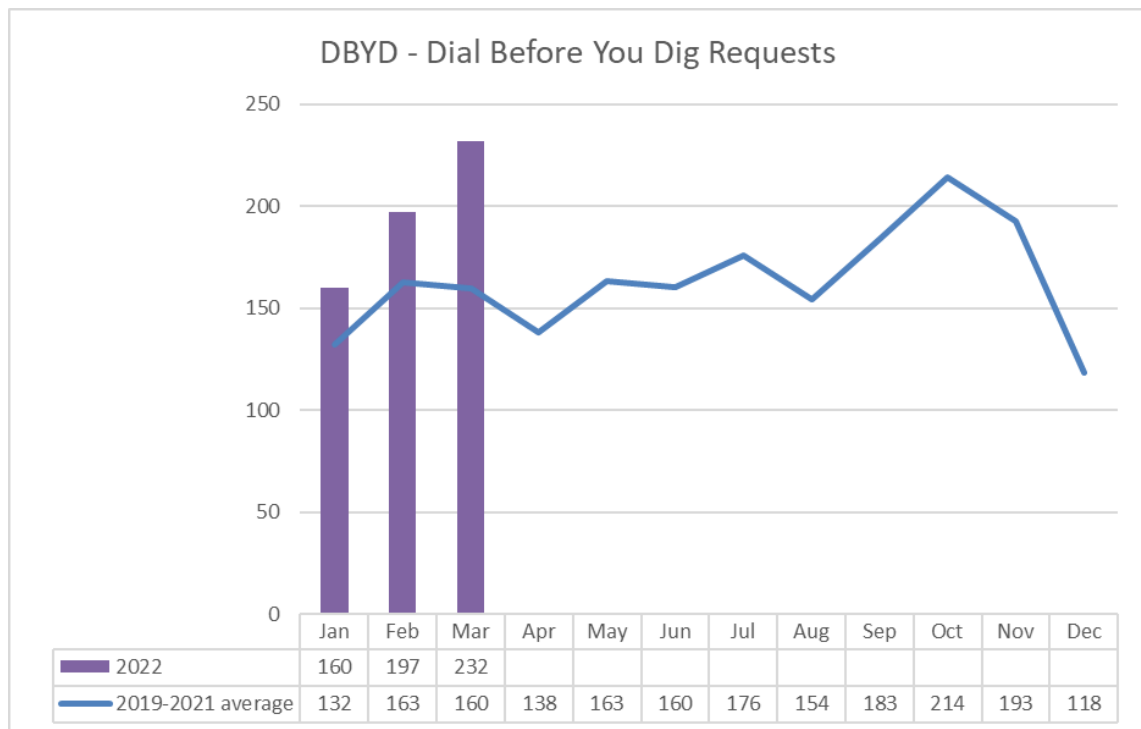
Hygiene measures, such as the provision of masks hand sanitiser and more frequent cleaning remain in place.

Council has been managing the absences of a small number of staff who have had to isolate due to a positive test or being a close contact.

Council has been providing rapid antigen tests to staff in certain circumstances to ensure workplace safety and business continuity.
- 2.2. Work has commenced on a review of Council's Public Open Space Strategy. Community engagement sessions are planned for April, in conjunction with scheduled community events and as standalone sessions.
- 2.3. Council is updating its GIS viewer, which will improve public access to spatial information via Council's website. The new view is expected to be available for staff in April, with maps and other tools being publicly available progressively in coming months.
- 2.4. Council is responding to the introduction of the State Waste Levy from July 1, 2022. The objective of Council's response will be to increase resource recovery rates, therefore reducing waste to landfill and assisting customer to avoid the levy, which begins at \$20/T. Projects are funded in 2021/22 and 2022/23 Capital Works Program to deliver this objective. However, there will be a cost impact to ratepayers and Waste Transfer Station customers, whether directly or indirectly.

3. Assessments and Approvals

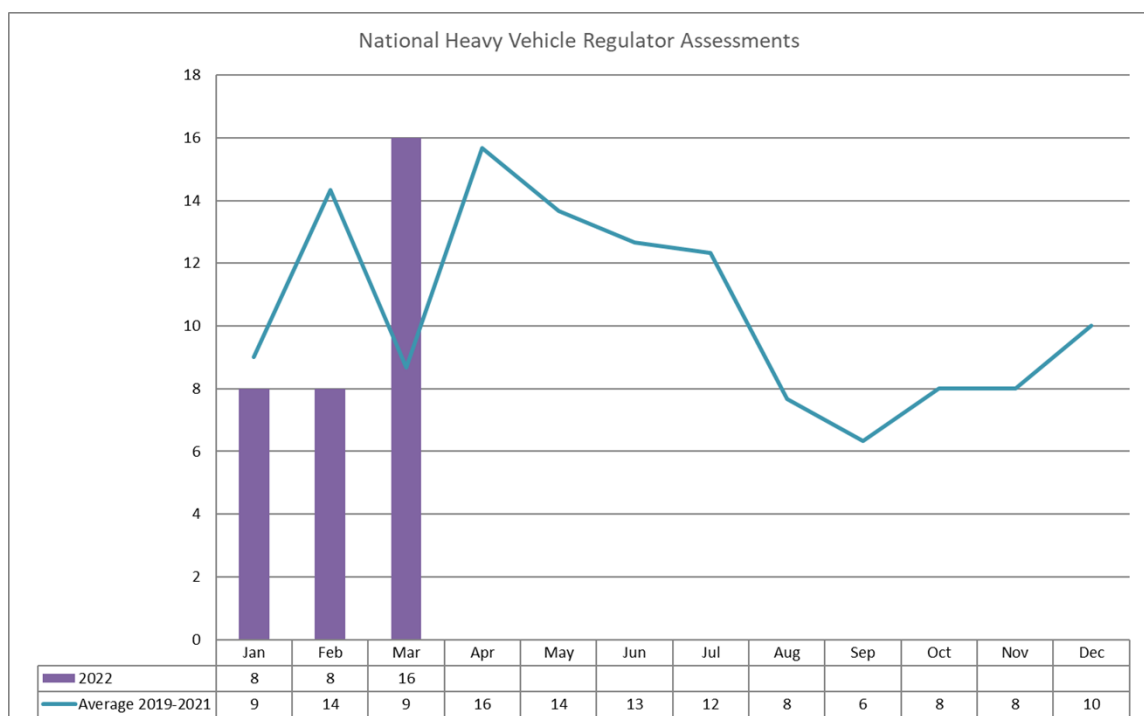
- 3.1. The following graph details the Dial Before You Dig Requests that have been - assessed by the Infrastructure and Works Department this year compared to previous years:



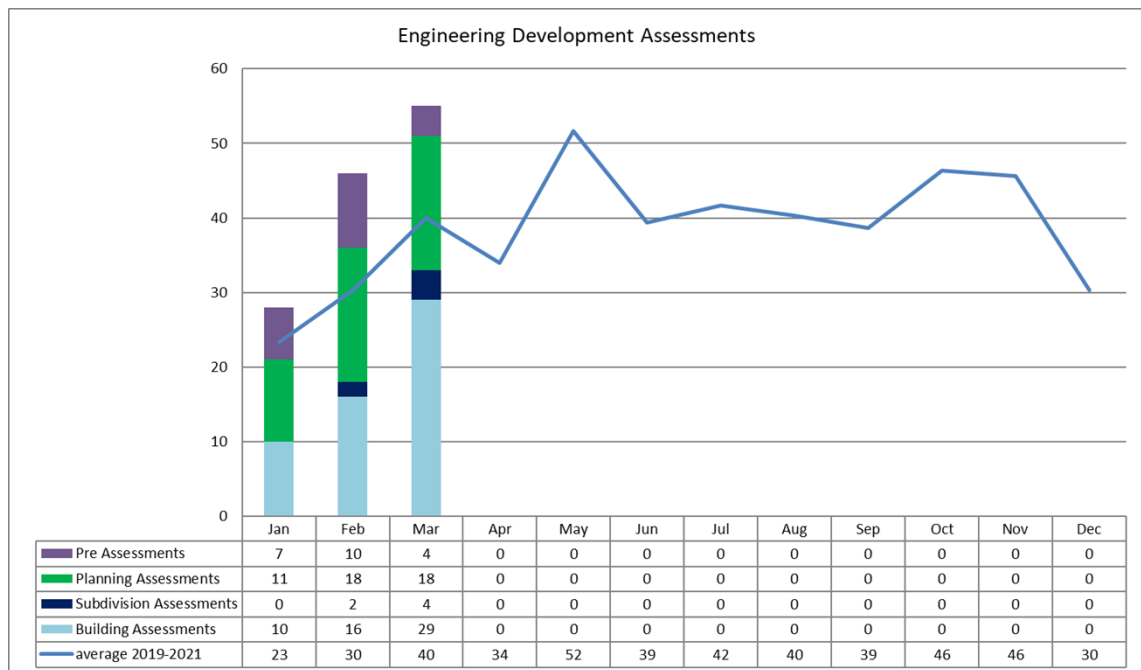
3.2. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	12
Total value of capitalisations in period	\$0.64M
Total value of Works in Progress (WIP) as at 31 March	\$21.43M
Donated Asset Capitalised (Subdivisions) in period	0
Number of projects awaiting capitalisation next period	25

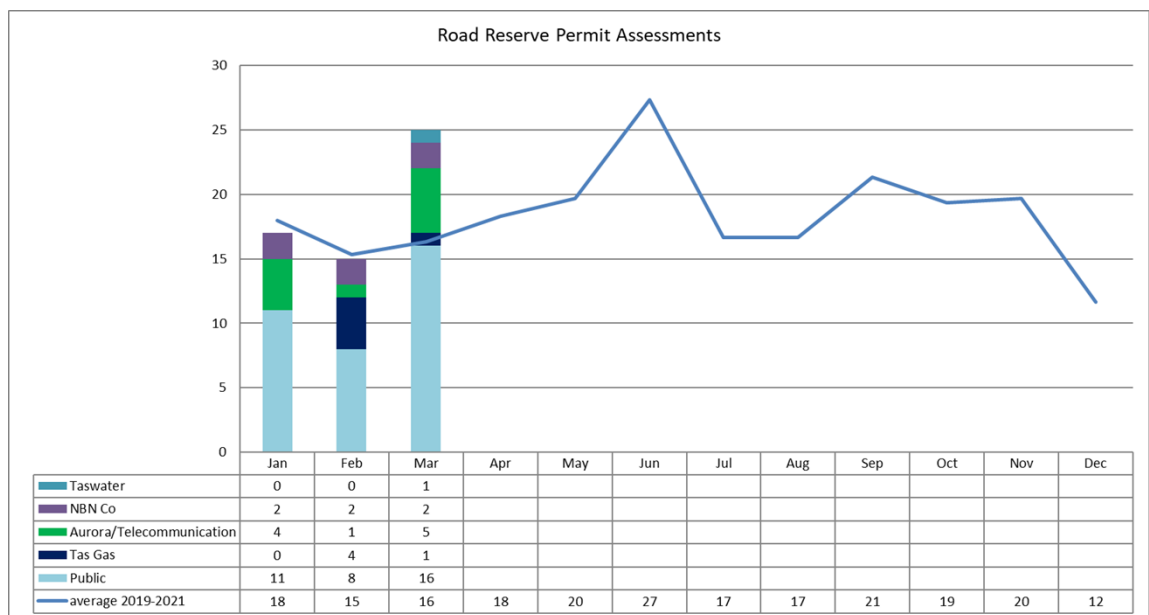
3.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



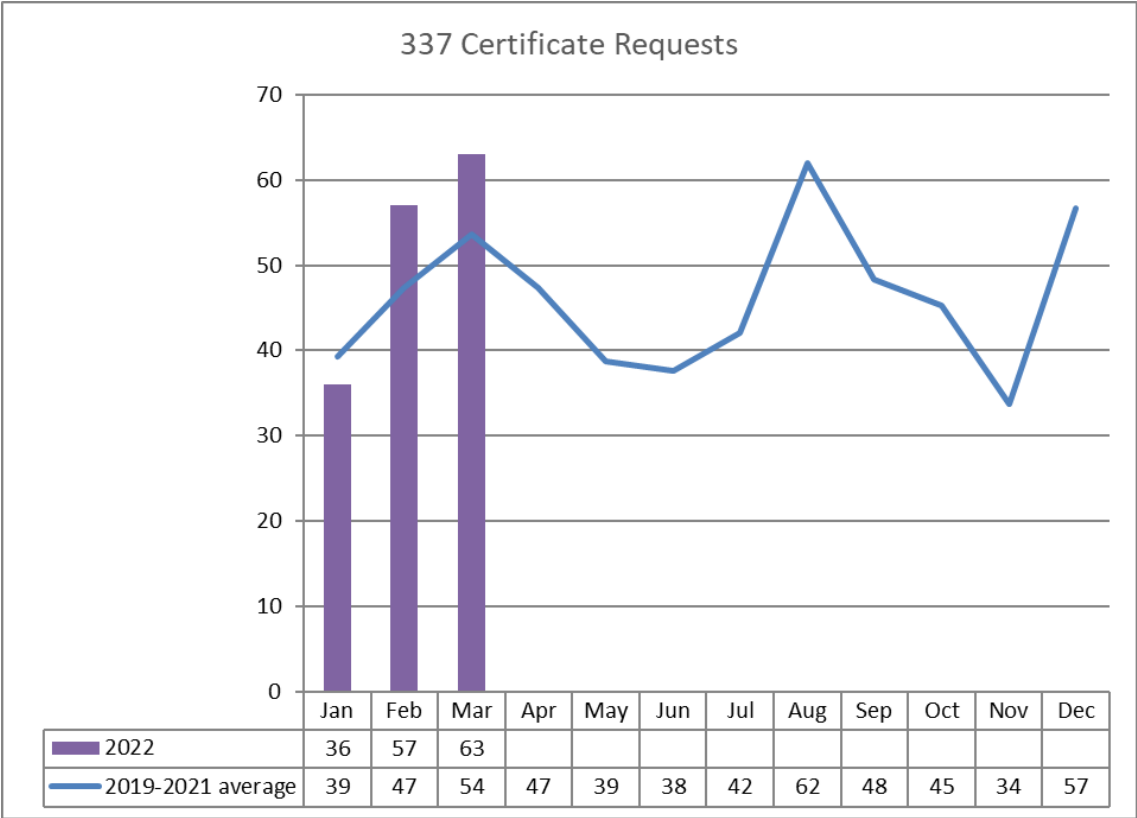
3.4. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



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
None this period.				

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
None this period.				

5. Civil Works and Stormwater Maintenance

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

- Investigation into block stormwater pipes at Don College. Pipes will likely require capacity increase and renewal in 2022/23
- Road patching in Arden Avenue and Hilltop Avenue
- Annual crack sealing work package by interstate contractor
- Clearing and rock lining of drain in Brooke Street



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

- Oldaker Street footpath repairs
- Minor road, footpath and kerb repairs throughout the city

6. Parks and Reserves Maintenance

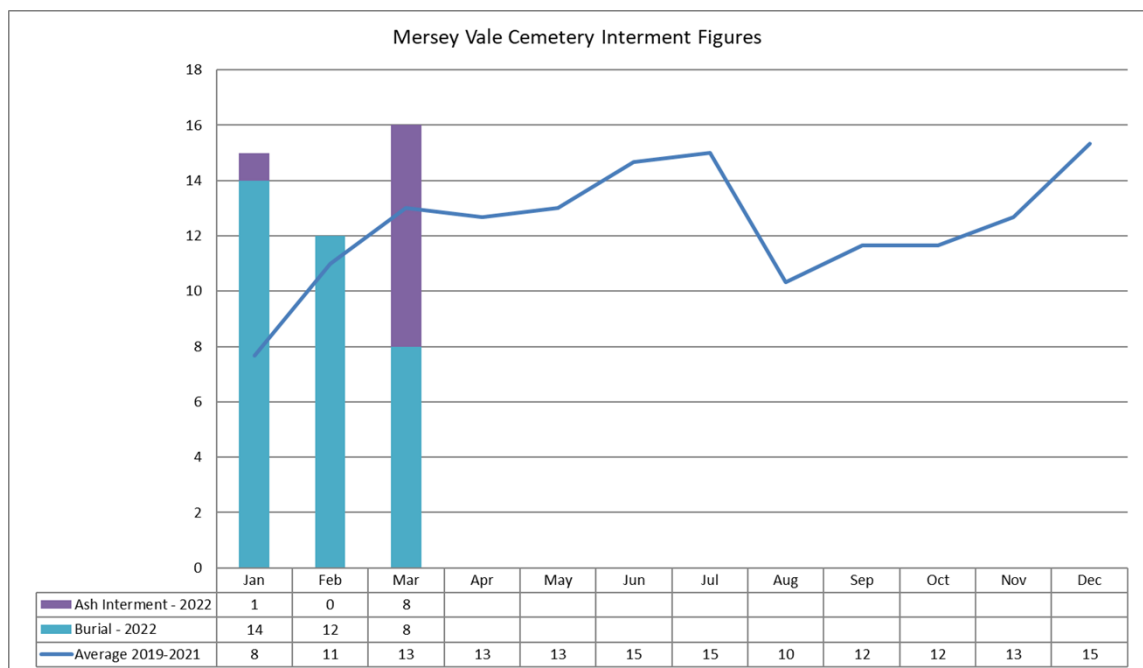
6.1. Maintenance, in accordance with the Service Level Document, undertaken in February and March included:

- Preparation of Devonport Oval for AFL match
- Preparation of cenotaph for ANZAC day
- Preparation of sports fields for winter sports
- Establishment of maintenance service levels for areas of waterfront park being handed over

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

- Stewart Street tree trimming
- Aeration of sports fields
- Follow up inspections from burn off in Don Reserve

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:

- Installation of LED lighting in Waste Transfer Station shed
- Stained compound at rear of Surf Club building

- Installation of new taps at Mersey Vale Memorial Park
- External painting at Home Hill

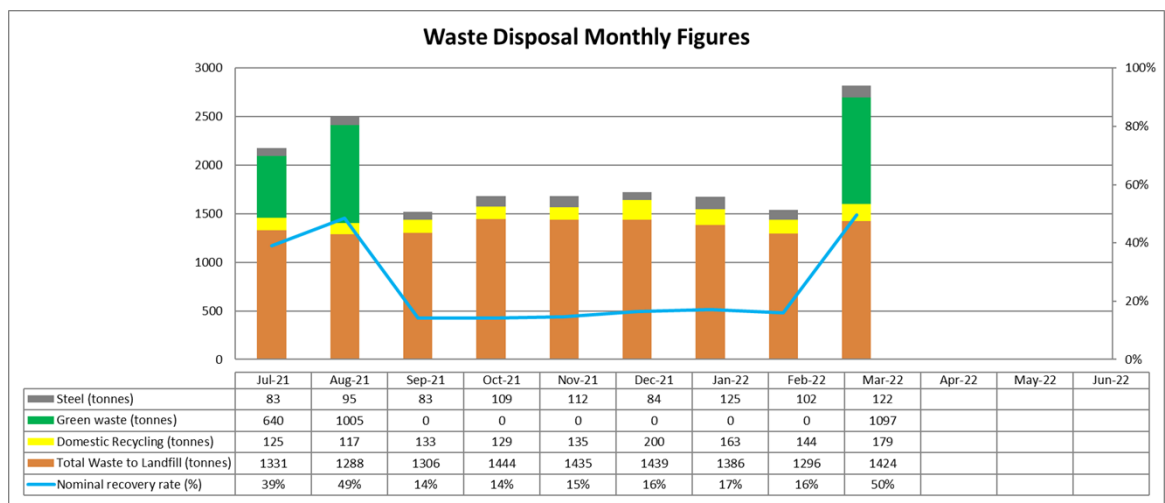


7.2. In April and May, planned building and facilities maintenance works will include:

- External painting and staining at Bass Strait Maritime Centre
- Stain park furniture at Mersey Bluff

8. Waste Management Operations

8.1. Waste Management Services were conducted in accordance with the Service Level Document during February and March. The following graph details the major waste disposal streams from the Spreyton Waste Transfer Station for the year.



COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

The project at the East Devonport Recreation Centre requires an adjustment to the Capital Works Program. No additional Council funds are required.

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.

An adjustment is required to the Capital Works Program to include the project at the East Devonport Recreation Centre. This \$25,000 project is externally funded.

ATTACHMENTS

Nil

6.5 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 2022 and March 2022.

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:

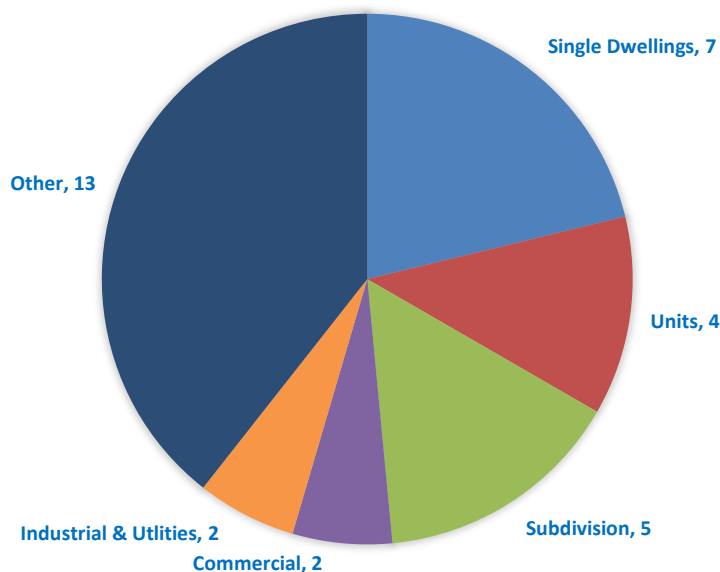
- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*
- *Building Act 2016*
- *Building Regulations 2016*
- *Public Health Act 1997*
- *Food Act 2003*
- *Environmental Management and Pollution Control Act 1994*
- *Dog Control Act 2000*
- *Tasmanian Planning Scheme – Devonport 2020*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

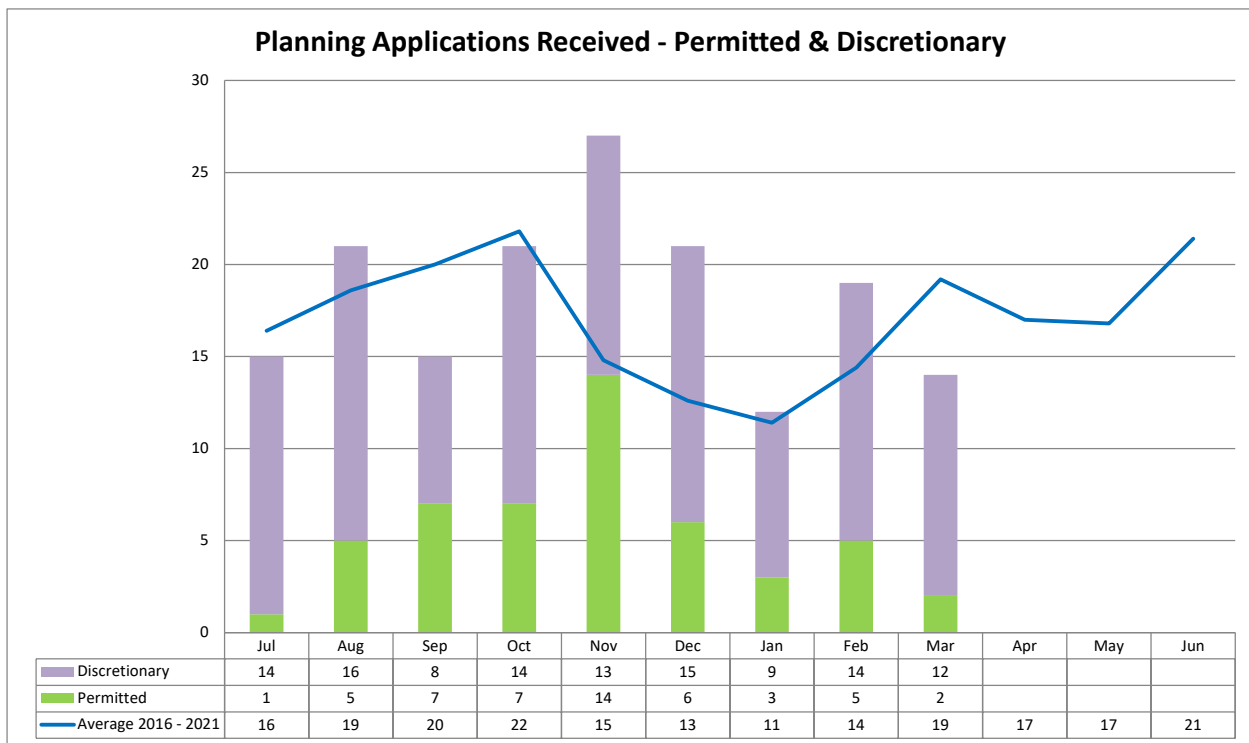
PLANNING APPLICATIONS RECEIVED BI-MONTHLY BREAKDOWN



Note:

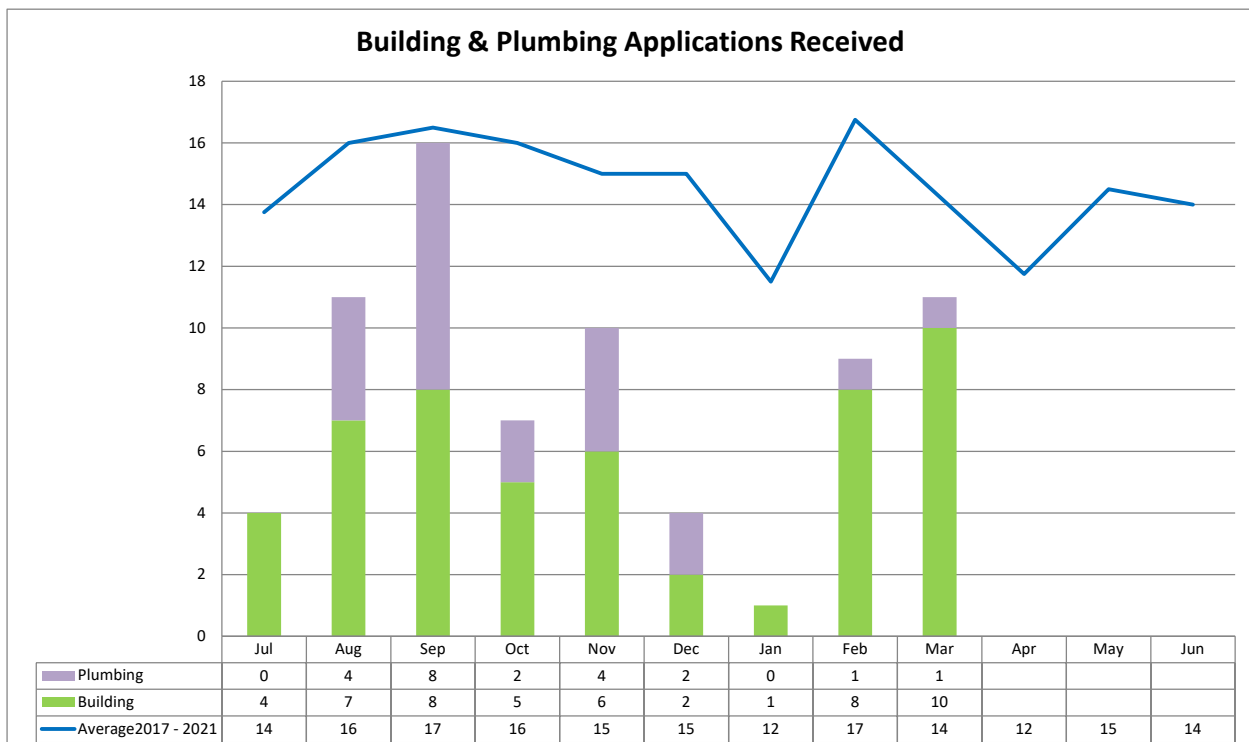
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales, 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. 26 Discretionary Planning Applications and 9 Permitted Planning Applications were received in February and March. The following graph details the number of Planning Applications received compared to previous years:

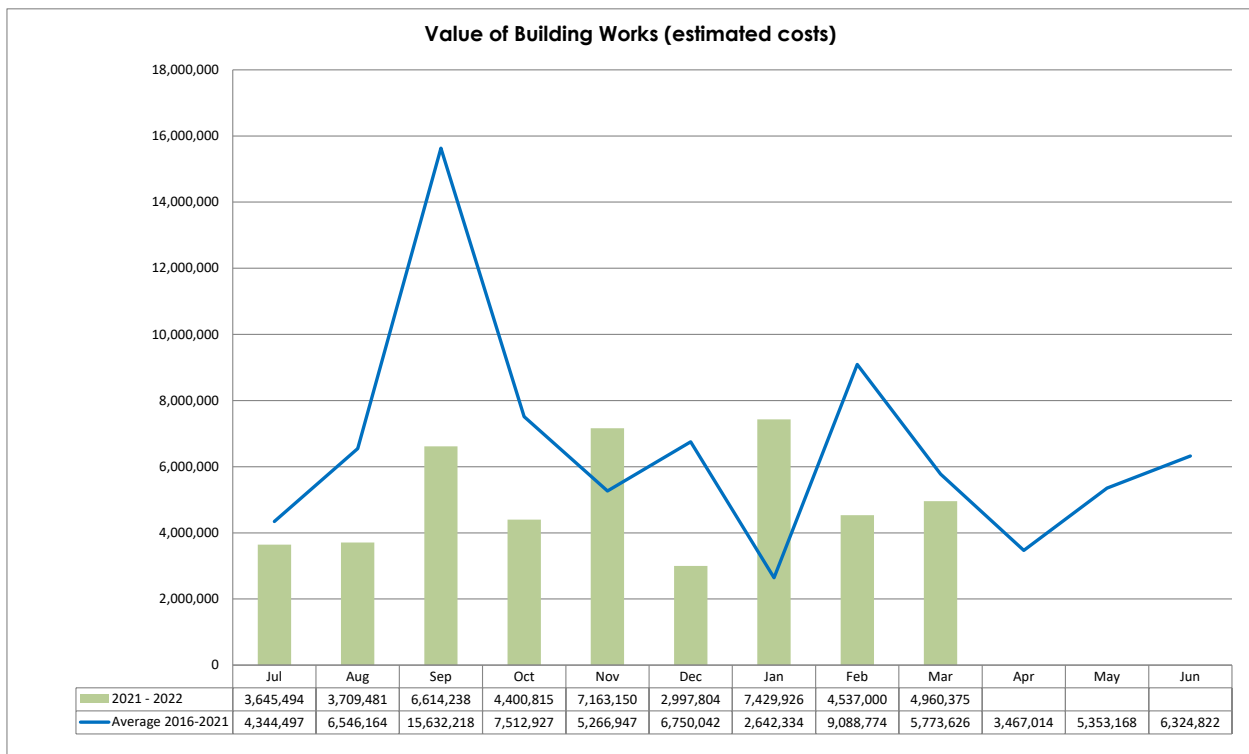


2. Building/Plumbing

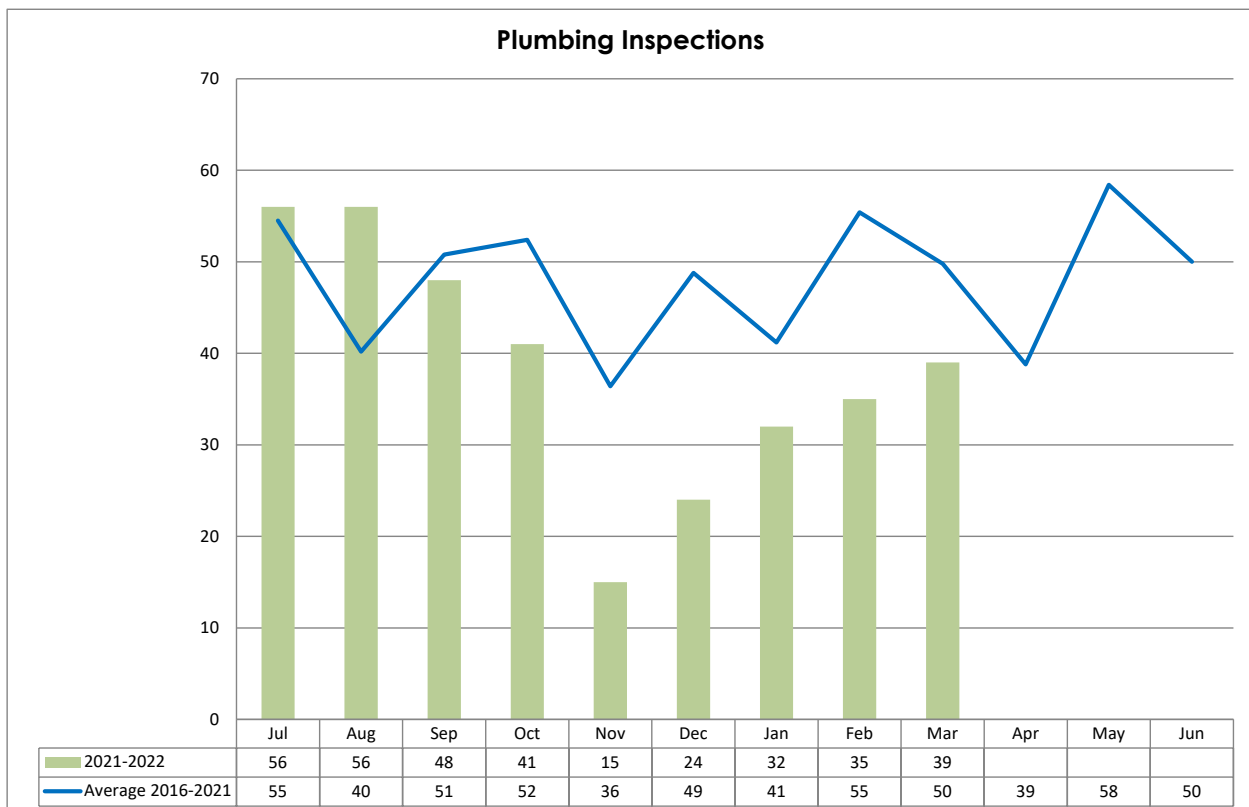
2.1. 18 Building Applications and 2 Plumbing Applications were received in February and March. The following graph details the Building and Plumbing Applications compared to the previous year:



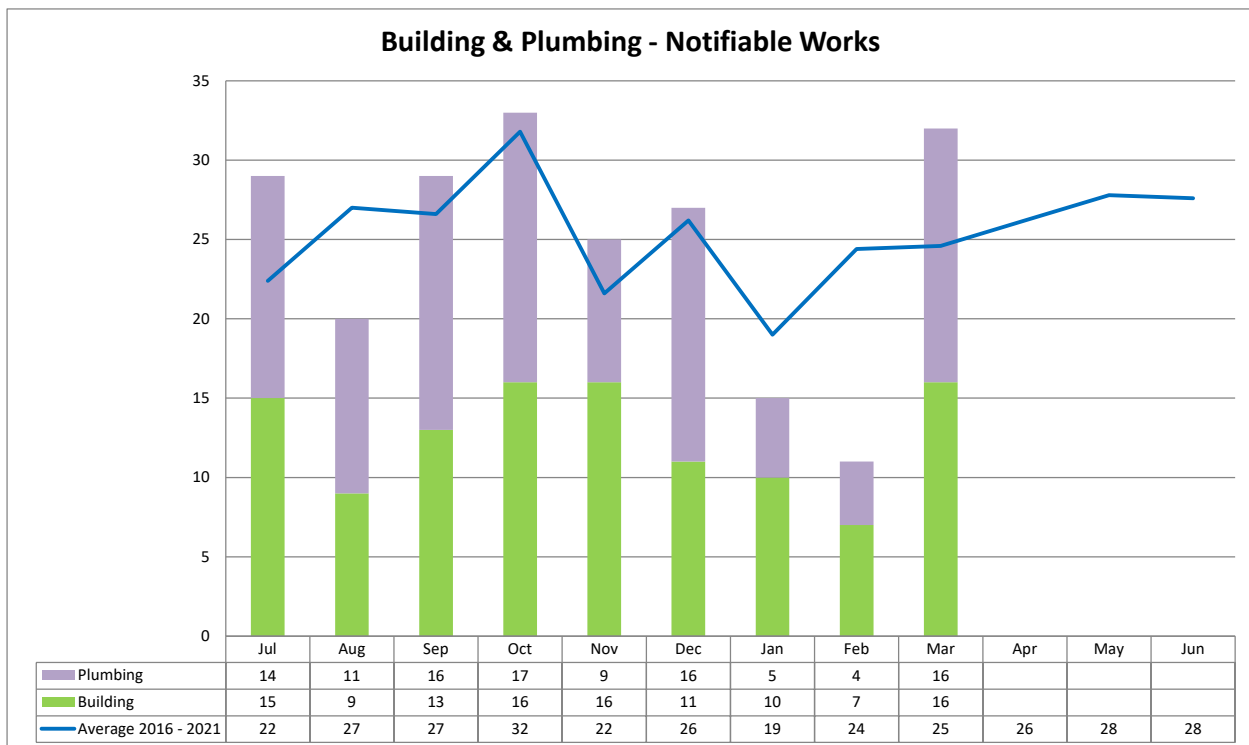
2.2. Building Applications for \$4,537,000 worth of building works were received in February and \$4,960,375 in March. The following graph details the value of building works received compared to previous years:



2.3. 35 plumbing inspections were carried out in February and 39 in March. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:

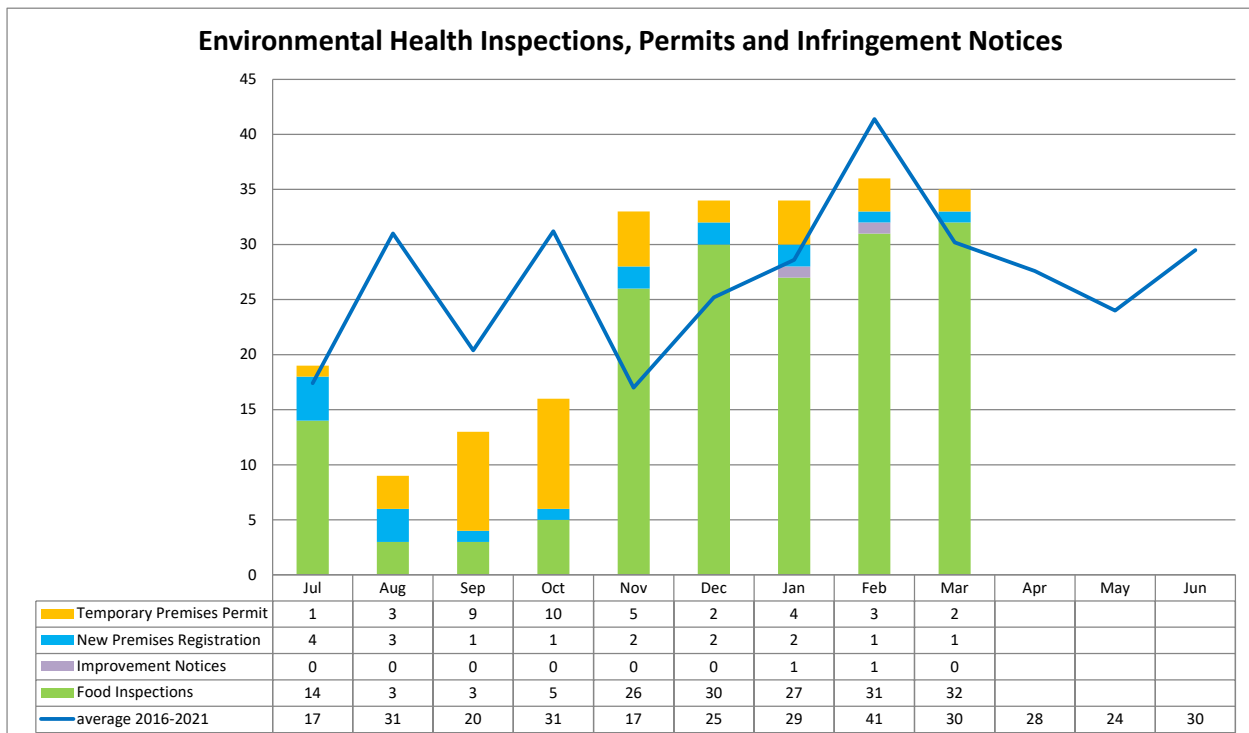


2.4. The following graph details the notifiable works received for building and plumbing that have been issued this year compared to previous years:



3. Environmental Health

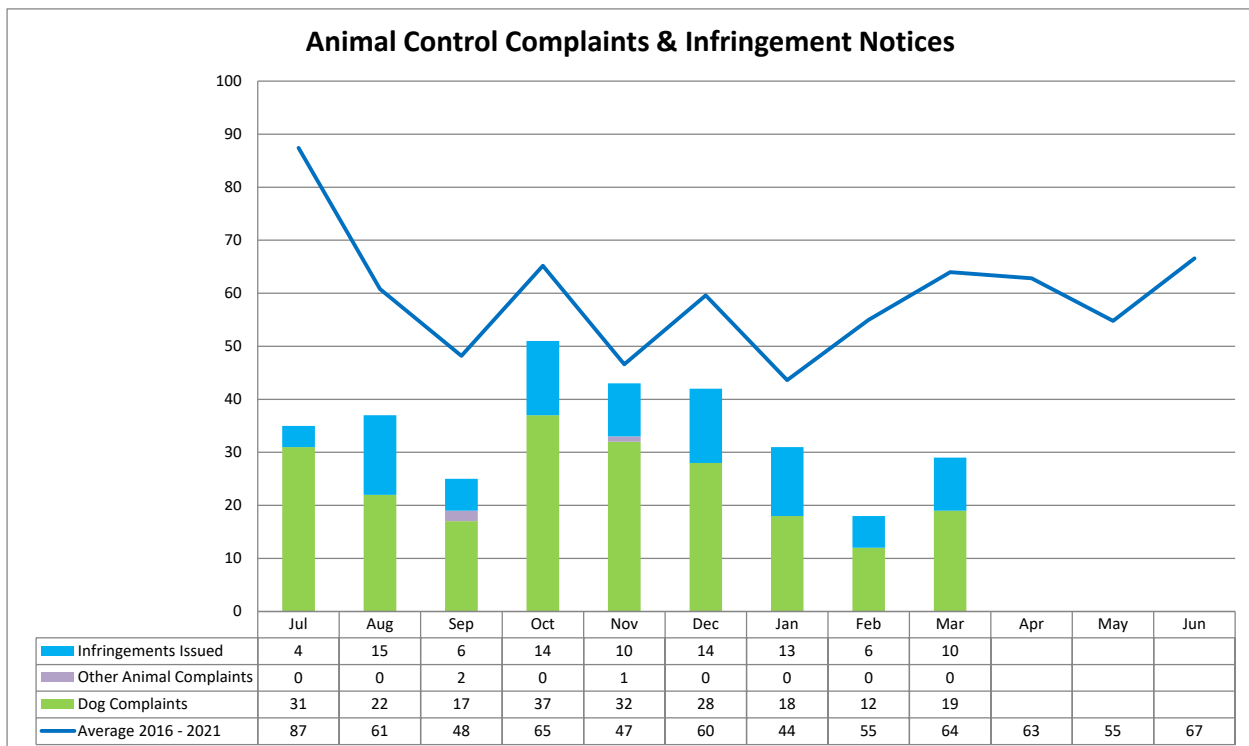
3.1. The following graph details the inspections, permits and infringement notices that have been issued by Environmental Health this year compared to previous years:



4. Animal Control

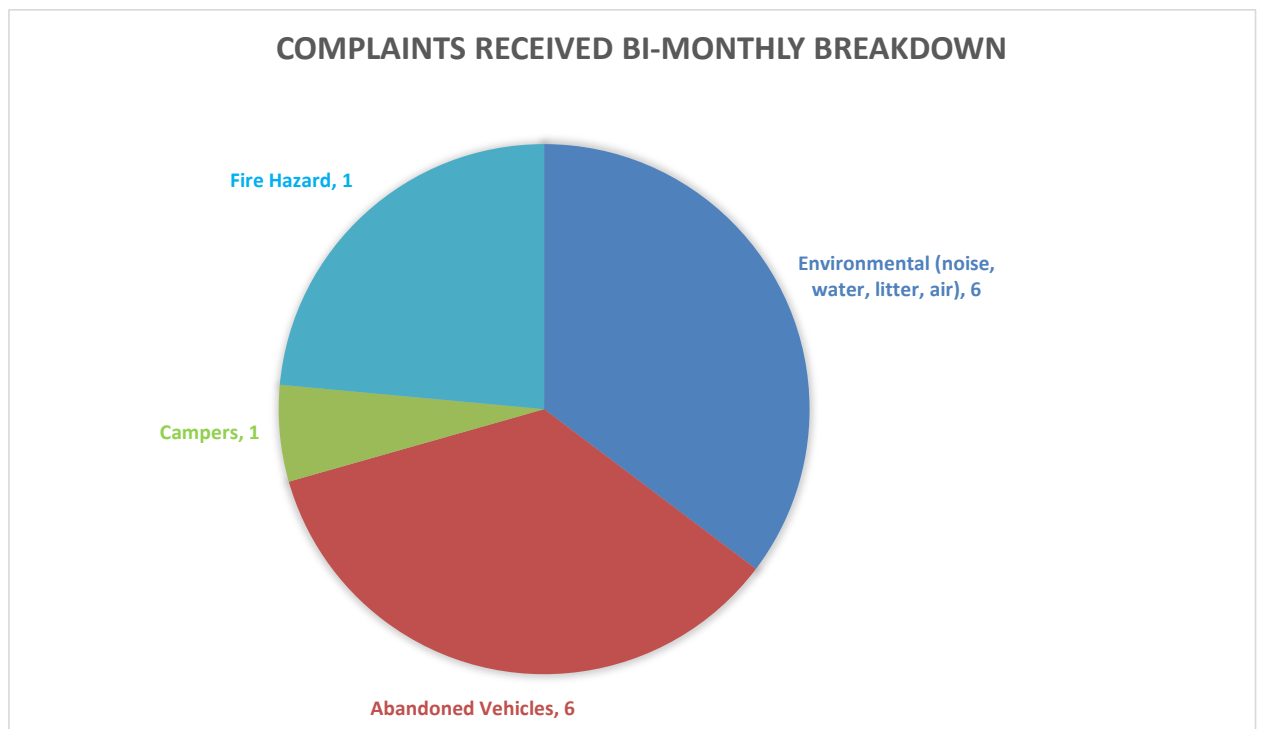
4.1. There are currently 3750 registered dogs. In February and March, a total of 31 animal complaints were received. These complaints predominately related to dogs at large. All complaints were responded to within two working days.

4.2. 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:



5.2. 25 incidents were reported during February and March. The following table details the types of incidents:

Council/Public	Number Reported
<input type="checkbox"/> Council	17
<input type="checkbox"/> Property Damage	6
<input type="checkbox"/> Personal	4
<input type="checkbox"/> Near Hit	3
<input type="checkbox"/> Motor Vehicle	2
<input type="checkbox"/> General Public	1
<input type="checkbox"/> Property Theft	1
<input type="checkbox"/> Public	8
<input type="checkbox"/> Personal	5
<input type="checkbox"/> General Public	1
<input type="checkbox"/> Hazard	1
<input type="checkbox"/> Property Damage	1
	25

5.3. The following details the breakdown of claims costs:

Total costs - \$2000
 Council incidents costs - \$2000
 Public incidents costs - \$0

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

This report is provided for information purposes only as it relates to the activities of the Development Services Department in February and March 2022.

ATTACHMENTS

Nil

7 SECTION 23 COMMITTEES

7.1 PLANNING AUTHORITY COMMITTEE MEETING 11 APRIL 2022

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That the minutes of the Planning Authority Committee meeting held on 11 April 2022 be received.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

The purpose of this report is to receive the minutes from the Planning Authority Committee meeting held on 11 April 2021.

ATTACHMENTS

1. Minutes - Planning Authority Committee - 11 April 2022 [**7.1.1** - 5 pages]

8 CLOSED SESSION

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

RECOMMENDATION

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 28 March 2022	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)

9 CLOSURE