



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, paranaple centre, 137 Rooke Street, Devonport on Monday 26 June 2023, commencing at 5:30 PM.

The meeting will be open to 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 06 2023

July 2023

Meeting	Date	Commencement Time
Council Meeting	24 July 2023	5.30pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 26 JUNE 2023 IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137
ROOKE STREET, DEVONPORT AT 5.30 PM**

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ACKNOWLEDGEMENT OF COUNTRY

Devonport City Council acknowledges and pays respect to the palawa-pakana people as the traditional and original owners of lutrawita and continuing custodians of this land on which we gather.

We also acknowledge and pay our respects to the Tasmanian Aboriginal elders past and present.

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.

ATTENDEES

		Apology
Chair	Cr A Jarman (Mayor)	
	Cr S Sheehan (Deputy Mayor)	
	Cr G Ennis	
	Cr P Hollister	
	Cr S Martin	✓
	Cr A Moore	
	Cr L Murphy	
	Cr D Viney	
	Cr J Wilczynski	

1 APOLOGIES

Cr Steve Martin will be an apology for this meeting.

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Council meeting held on 22 May 2023 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 response to the question from Mr Douglas Janney at the May Council meeting be noted.

ATTACHMENTS

1. Response to Questions Without Notice 22 May 2023 D Janney [**3.2.1.1** - 1 page]

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 Malcolm Gardam and Mr Bob Vellacott endorse the responses proposed and authorise their release.

MR MALCOLM GARDAM, 4 BEAUMONT DRIVE MIANDETTA

A letter containing questions on notice received from Mr Malcolm Gardam on Monday 12 June 2023 is **reproduced as attachment 1**.

Q1 Prior to the October 2022 council elections I contacted all candidates and posed the following question, "Do you support good governance by improving openness, transparency and accountability by **removing** this arrangement where a private beneficiary of ratepayer funds and/or other benefits can veto just what it receives from Council from being publicly disclosed to ratepayers?" In response, none of those subsequently elected openly supported removing what appears to be a readymade **excuse for Council to not disclose expenditure of public funds and/or other benefits** afforded private entities where its actions might be questioned.

A motion on notice at the 2022 AGM seeking support for this change, and to which I spoke at length on, was defeated with all previous councillors voting against it. **It has been suggested by a former councillor and senior staff that private entities would not deal with Council if this requirement became a prerequisite to undertaking work for Council or leasing council buildings.** As I have repeatedly pointed out this is nonsense as supported by the many private entities that provide services to and receive benefits from government and government bodies that do impose a binding right to make public disclosures.

But do not take my word for it, instead consider the Ombudsman's Decision in the findings whereby the documents requested in the Ari Zaetz and Hobart City Council were released despite the HCC's objections; objections that were on the same lines taken by the previous Devonport City Council regarding the prevention of disclosures. The Ombudsman's findings stated "A company choosing to tender for a contract to provide services to a government body agrees to be subject to the Act and would be aware the contractual information could be released. I do not consider it likely that many companies would no longer submit a tender or decline to provide necessary information for the finalisation of a government contract, in order to prevent the details of that contract being disclosed." [underline included for emphasis].

To be clear, this is not a request about removing commercial-in-confidence during negotiations but simply removing a beneficiary's Council-sanctioned (perhaps even encouraged) right to veto public disclosures which in turn Council uses to block the disclosure of contracts that should be publicly available if called on.

My question to all Councillors is **will Council take full ownership for making, or not making, public disclosures and stop hiding behind the fictitious notion that entities will not engage with Council if Council were to contractually retain sole discretion as to making public disclosures relating to contractual arrangements; and move to remove this absurdity where a private enterprise can veto the public disclosure of**

benefits it receives, including public funding and/or concessions granted by Council?

Response

Wherever possible Devonport City Council considers matters in Open Session, this includes tenders, procurement, property transactions, etc. On the rare occasion, where a matter is considered commercial-in-confidence, Council at its discretion, may decide that it is necessary to consider an item in Closed Session.

- Q2** This question is put forward in advance of the October 2023 Annual General Meeting. As many councillors would be aware there has been much said, with many concerns raised by ratepayers at council meetings, about the rules which Council's previous Chairperson had selectively interpreted and applied to the conduct of AGMs. And in particular the Annual General Meeting Guidelines adopted without public consultation, or prior notice, and first applied within the Agenda for the 2020 AGM. Subsequent to a Code of Conduct resulting from the previous Mayor's chairing of the 2021 AGM the Code of Conduct Panel, having viewed the video recording of that meeting, stated in the Determination Report dated 23 September 2022 that, *"The Panel observed that in her opening address to the AGM, Cr Rockliff did not provide specific information to attendees on some procedural aspects. When questioned on this by one of the attendees she replied that she "would let them know" if they had overstepped the mark. **The Panel recommends that Council review, and provide greater detail on, the procedures to be followed at an AGM so that it is clear to all attendees how the meeting is to be conducted.**"* [bold type and underline included for emphasis]

My question to all councillors is, assuming Council has done nothing about rectifying the conflicting requirements, between the Annual General Meeting Guidelines and its referenced general alignment with the Local Government (Meeting Procedures) Regulations 2015, which have resulted in selective interpretation and application of the rules applied to AGM's since 2020, **will Council now direct a review and development of proper Annual General Meeting Rules so that all attendees are clear on the rules to be applied in time for the October 2023 AGM?**

Note: Considering that Devonport City Council has ambitions as being the centrepiece of a Greater Mersey Regional Council, perhaps it is time to show its expertise, as purported to exist in larger councils, and rectify this matter immediately.

Response

Council will be considering arrangements for the 2023 AGM, including the meeting rules, at a future Workshop.

MR MALCOLM GARDAM, 4 BEAUMONT DRIVE MIANDETTA

A letter containing questions on notice received from Mr Malcolm Gardam on Thursday 15 June 2023 is **reproduced as attachment 2**.

- Q1** A TasRail spokesperson was reported in The Advocate article on Saturday 27 May 2023, as saying in relation to the long-stalled installation of the two additional rail pedestrian crossings in Haines Park, that, "*TasRail is pleased that the council recently restarted discussions to progress this matter.*" which sounds like it has been Council dragging the chain; accordingly, I ask the following three separate questions:
- a) Why has it taken some 5 years since the then Waterfront Parkland drawings were released to get to a situation where Council has just recently restarted discussions to progress the installation of these two additional rail pedestrian crossings?
 - b) The Advocate article stated that "*after the meeting the-parties were optimistic of resolving concerns about the location of the two crossings*" but does Council's optimism extend to here and now assuring ratepayers that the two additional crossings will be installed as initially presented; bringing the number of rail pedestrian crossings to four (4) in a distance of some 300 metres of mainline track or five (5) in about 500 metres if the existing crossing adjacent the old Spirit of the Mersey ferry landing is to remain?
 - c) Does Council believe that **one "Look for Trains" sign installed parallel to the rail pedestrian crossing** (sign facing South and not visible to those crossing in an Easterly direction) adjacent the Elevated Walkway is sufficient warning for pedestrian traffic crossing at an otherwise unprotected rail crossing point?

Response

Council is continuing its engagement with TasRail in relation to the existing and additional crossings proposed for Waterfront Park, in accordance with the original Development Application. Final detail of the pedestrian barriers and safety signage is subject to agreement with TasRail, and in accordance with the Australian Standards and additional TasRail requirements.

- Q2** It is my understanding that the shape of the hotel land purchased from Council was very closely aligned to the footprint of the hotel - accordingly, will Council confirm separately as to precisely where the hotel property boundaries end with reference to the building or furthest protrusion of the building structure:
- a) Northern side adjacent the new Service Road?
 - b) Eastern end of hotel on Formby Road? (E.g. - back edge of new footpath?)
 - c) Southern side on Best Street? (E.g. - back edge of new footpath?)
 - d) Western end at the cantilever section of the hotel?
 - e) Western end of main entrance off Best Street where the Lot 1 plan shows a 5.0m step-back from the outline of the cantilever section of the hotel?

Response

Detailed information on property boundaries is publicly available via the State Government at: [LISTmap - Land Information System Tasmania \(thelist.tas.gov.au\)](https://thelist.tas.gov.au)

Q3 Will Council confirm separately as to whether the Council, Novotel Hotel owner/Builder or operators **ultimately paid** for the establishment and planting of landscaping in the following locations directly adjacent to the hotel:

- a) Northern side between the Service Road and external hotel wall.
- b) Eastern end of hotel on Formby Road.
- c) Southern side on Best Street.
- d) Paved and landscaped area at the hotel's main entrance on Best Street.
- e) Western end of paved and landscaped area **directly below** the cantilever section of the hotel.

Response

Information below, in order of the question provided:

- a) Landscaping costs for the garden bed adjacent the service road was equally shared between the hotel developer and Council.
- b) Landscaping to the eastern end of the hotel was completed by the hotel developer at their cost.
- c) Landscaping costs for the linear garden bed on the southern side of the hotel was equally shared between the hotel developer and Council.
- d) Landscaping to the hotel entrance area was completed by the hotel developer at their cost.
- e) Landscaping costs for the area to the west of the hotel (below the cantilevered section of the hotel) was completed as part of the Waterfront Park project and fully funded as part of this Council project.

Q4 Further to Q3 above - does the Council, Novotel Hotel owners or operators pay for the ongoing landscape maintenance of the areas listed and which areas precisely if maintained separately by any of the named parties?

Response

The areas constructed exclusively by the hotel developer are managed by them on an ongoing basis. Council undertakes operational management of the balance of the areas as a part of the operational management of the Central Business District and Waterfront Park.

Q5 The new hotel is surrounded by new concrete works including footpaths, steps, driveways, kerb and channelling and garden edging; accordingly, will Council advise as to whether the Council or Novotel Hotel owner/Builder **ultimately paid** for the new works in each of the following locations:

- a) Footpaths, kerb and channelling and crossovers along Best Street?
- b) Paving and bollards outside Mr Good Guy's restaurant on the Northern side?
- c) Concrete paving, steps and stairs and garden edging between the hotel and Elevated Walkway?
- d) Footpath, garden edging and landscaping features (concrete and polished granite?) **directly under the cantilever section** of the hotel (being hotel owned land) off Rooke Street?

Response

Information below, in order of the questions provided:

- a) Removal of redundant crossovers, construction of new crossovers, and reinstatement of kerb and footpath impacted by the construction works was the responsibility of the hotel developer and completed at their cost. A small section of kerb and footpath at the eastern end of Best Street not disturbed by the hotel construction works (east of the former car park crossover and entry) was completed by Council to ensure continuity of surface treatment and condition, and to link with the new intersection works at Formby Road.
- b) Concrete paving works in this location were completed as part of the Waterfront Park project and funded as part of this Council project. The bollards were installed by the hotel developer at their cost.
- c) Assuming this question refers to the area to the south of the elevated walkway, this area was constructed by the hotel developer at their cost.
- d) As per response provided to question 3. (e) above.

Q6 Did Council comply with all requirements necessary to receive the full Federal Government waterfront parkland funding grant, including time for completion?

Response

Yes, Council has complied with the requirements of the current funding agreement with the Australian Government.

MR BOB VELLACOTT, 11 COCKER PLACE DEVONPORT

A letter containing questions on notice received from Mr Bob Vellacott on Saturday 17 June 2023 is **reproduced as attachment 3**.

Q1 Further to questions, previously asked and council's responses, in regard to the alleged nonpayment of money owed by Charlotte Jacks Devonport/ Mr. Ben Milbourne –

- (a) What progress if any has been made to recover the alleged debt?
- (b) If no progress has been made what action will council now take, on behalf of ratepayer, to finalize this matter?

Response

Council has no further update on this matter, from what has previously been advised.

Q2 Noting that council has contracted to sell the ratepayers parkland site situated 29 Fenton Way

- (a) Will council now inform ratepayers how much council will receive, on their behalf, for the property?
And
- (b) If council can not disclose the amount will you inform who stipulated that the amount to be paid should remain confidential and why it should be?

Response

Having regard to an Independent Valuation, Council resolved to sell the land in question for \$529,000 (ex GST).

Q3 In regard to the proposed development at 29 Fenton Way what consideration ,if any ,was given by council in regard to parking of larger vehicles with rear external bike racks and in particular those with trailers that will inevitably be delivering and or picking up bicycles at the bike shop?

Response

Council has not yet considered a Development Permit Application for the proposed development.

Q4 What off-street parking requirements (number of parking spaces) will apply to the proposed development at 29 Fenton Way?

Response

As per the response to Q3 above, Council is yet to consider a Development Permit Application for the proposed development. In relation to parking generally, it is noted that this site is within the existing CBD Parking Precinct Plan overlay.

Q5 Please inform what council intends to do with the now forlorn/neglected looking former library building and its unkempt, immediate, surrounds?

Response

The former Library building is currently leased to the Indie School, an independent education provider. In accordance with the LIVING CITY Master Plan, this area is intended to be redeveloped.

ATTACHMENTS

1. Letter to Matthew Atkins - Governance Qo N to June 2023 Mtg - M Gardam [**3.2.2.1** - 2 pages]
2. Letter to Matthew Atkins - Waterfront Park Qo N to June 2023 Mtg - M Gardam [**3.2.2.2** - 2 pages]
3. QsoN RBV for 26 June 2023 B Milbourne Charlotte Jacks Debt etc - B Vellacott [**3.2.2.3** - 1 page]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

3.4 NOTICES OF MOTION

Nil

4 PLANNING AUTHORITY MATTERS

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

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

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

4.1 PA2023.0080 - 12 DONVISTA DRIVE DON - RESIDENTIAL (SHED EXTENSION - EXISTING)

Author: **Carolyn Milnes, Senior Town Planner**

Endorser: **Kylie Lunson, Executive Manager**

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0080 and grant a Permit to use and develop land identified as 12 Donvista Drive, Don for the following purposes:

- Residential (shed extension – existing)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans dated 3/05/2023, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. All stormwater, including surface water from the driveway and/or any paved areas, is to be collected and drained to the private stormwater drainage system, in accordance with the National Construction Code.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

This development is to be used for storage only, no habitation is to occur. If any activity occurs (such as habitation) which may result in the generation of domestic wastewater, the site must be assessed by a suitably qualified person for an on-site wastewater management system.

In regard to condition 2 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions/notes can be directed to Council's Development Services Department – Ph 6424 0511.

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 2.1.2 | Provide consistent and responsive development assessment and compliance processes |

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2023.0080.

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	12 Donvista Drive, Don
Applicant/Owner:	Harry Harrison
Proposal:	Residential (shed extension – existing)
Existing Use:	Residential
Zoning:	Rural Living
Decision Due:	06/07/2023

SITE DESCRIPTION

The site is located on the western side of Donvista Drive and has an area of 7679m². The lot contains an existing house and garage and is surrounded by established and developing residential lots. The lot falls approximately 26m from the south-western corner to the north-eastern corner. Figure 1 shows an aerial view of the subject site and surrounding area.

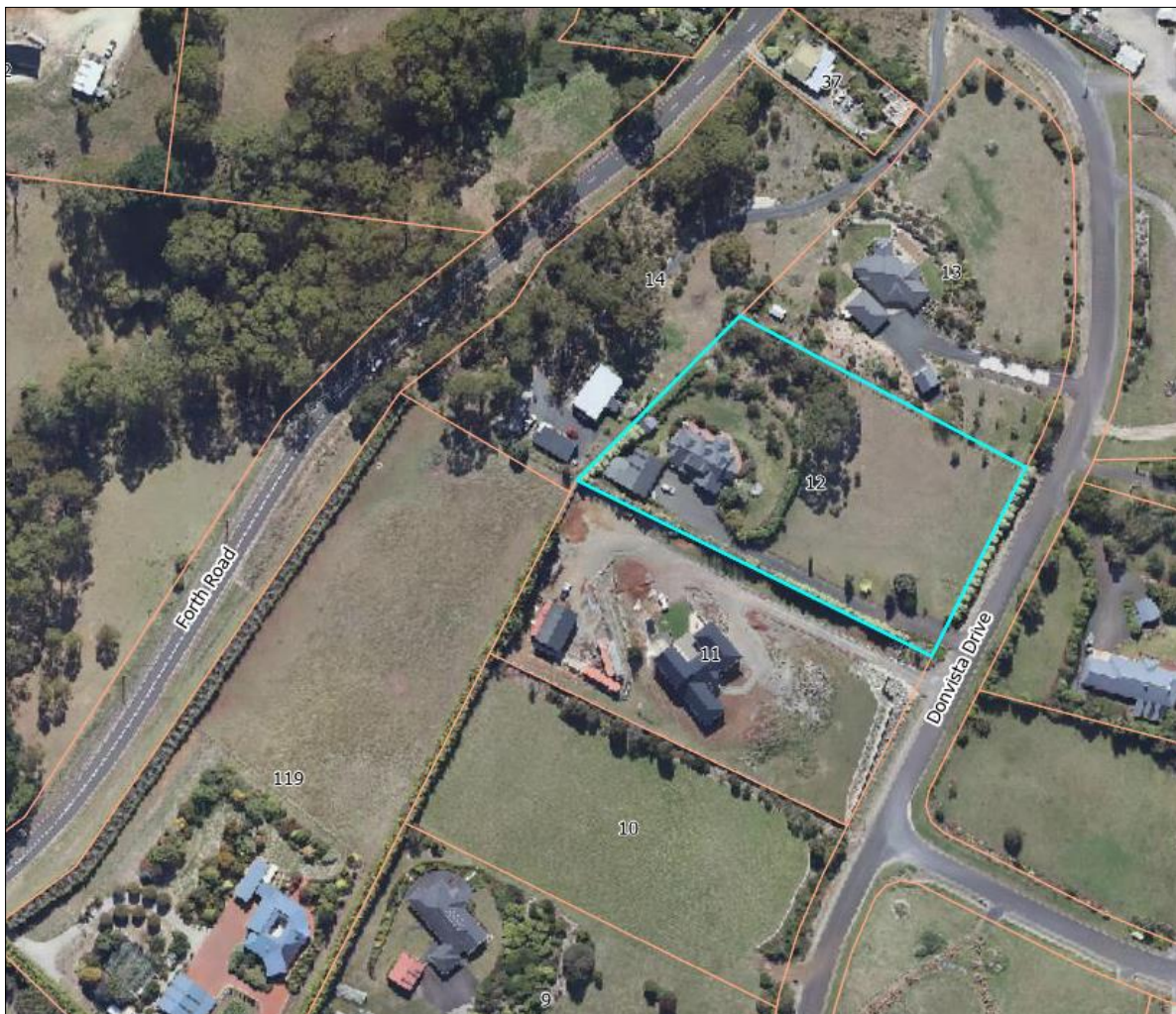


Figure 1 - Aerial view of subject site and surrounding area (Source: DCC)

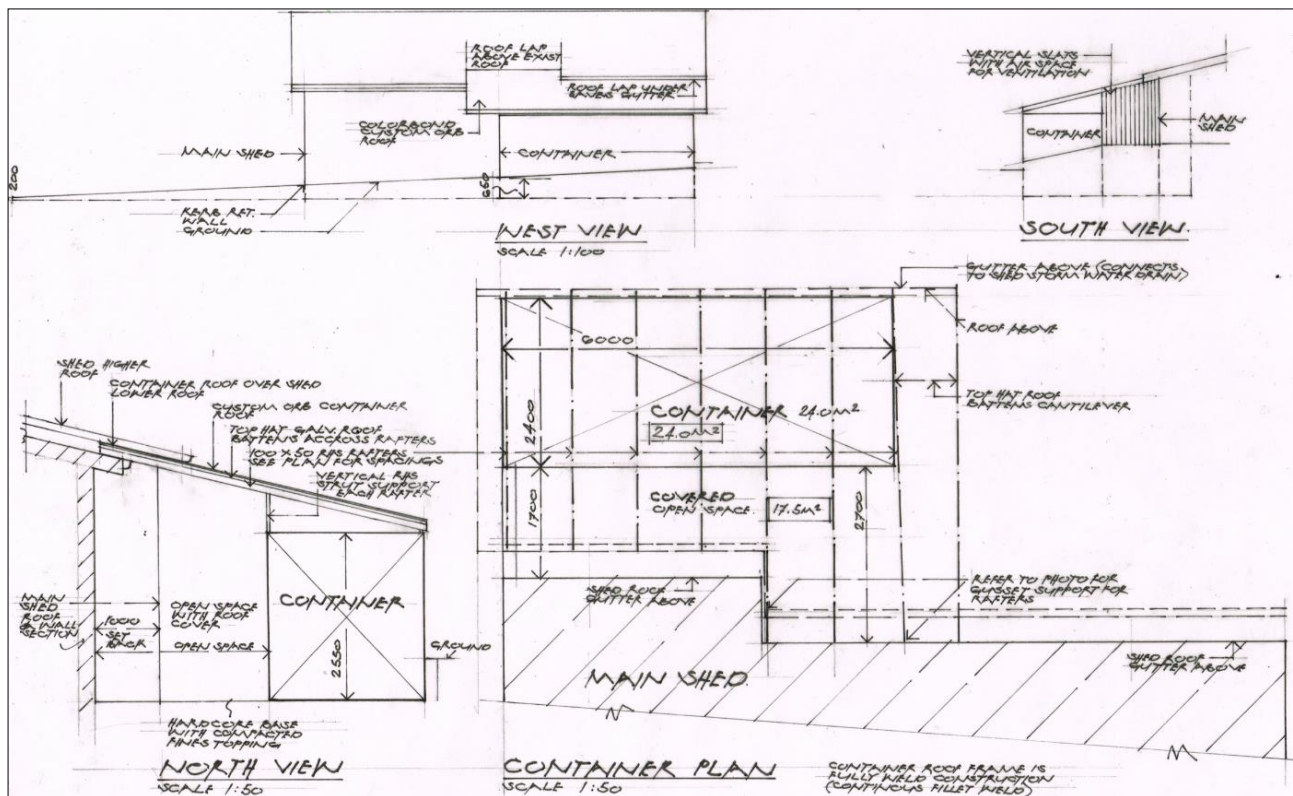


Figure 3 - Shed plans

PLANNING ISSUES

The land is zoned Rural Living under the *Tasmanian Planning Scheme – Devonport, 2020*. Then intent of the zone is:

- 11.1.1 To provide for residential use or development in a rural setting where:
 - (a) services are limited; or
 - (b) existing natural and landscape values are to be retained.
- 11.1.2 To provide for compatible agricultural use and development that does not adversely impact on residential amenity.
- 11.1.3 To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.
- 11.1.4 To provide for Visitor Accommodation that is compatible with residential character.

Residential development for a single dwelling or ancillary development does not require a planning permit in the zone provided all relevant acceptable solutions contained within the zone standards and any applicable codes are met.

In this case the proposal does not meet the 10m side and rear setback requirements. The proposal must therefore be assessed against the Development Standards for Buildings and Works. The relevant sections of the planning scheme are reproduced below, followed by assessment.

11.4.2 Building height, setback and siting

<p>Objective:</p> <p>That height, setback and siting of buildings:</p> <p>(a) is compatible with the character of the area;</p> <p>(b) does not cause an unreasonable loss of amenity;</p> <p>(c) minimises the impact on the natural values of the area; and</p> <p>(d) minimises the impact on adjacent uses.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building height must be not more than 8.5m.</p>	<p>P1</p> <p>Building height must be compatible with the character of the area and not cause an unreasonable loss of amenity to adjoining properties having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) sunlight to habitable rooms and private open space in adjoining properties; and</p> <p>(e) any overshadowing of adjoining properties or public places.</p>
<p>A2</p> <p>Buildings must have a setback from a frontage of not less than 20m.</p>	<p>P2</p> <p>Buildings must be sited to be compatible with the character of the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the setbacks of adjacent buildings;</p> <p>(c) the height, bulk and form of existing and proposed buildings;</p> <p>(d) the appearance when viewed from roads and public places; and</p> <p>(e) the retention of vegetation.</p>
<p>A3</p> <p>Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p>P3</p> <p>Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p>

	<p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height bulk and form of existing and proposed buildings;</p> <p>(e) the character of the development existing on established properties in the area; and</p> <p>(f) any overshadowing of adjoining properties or public places.</p>
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Assessment –

A1 – The height of the shed extension is 4m. The acceptable solution is met.

A2 – The extension is setback approximately 115m from the frontage. The acceptable solution is met.

P3 – The setback from the rear boundary is 2.9m and the southern side boundary is 5m rather than 10m. The performance criteria must be addressed.

The amenity of the southern neighbour will not be unreasonably affected as the subject site sits below the neighbour, thus reducing visual impact. In addition, the shed addition is in excess of 50m from the neighbouring dwelling at its closest point. Any overshadowing created by the extension will not impact habitable rooms or private open space areas.

In regard to the western neighbour the shed extension sits adjacent to a garage, with a hedge separating the two. Given the angle of the roof any overshadowing would be minimal, should the hedge be removed, and only occur in the early morning.

The performance criteria are satisfied.

The site is subject to a Bushfire-Prone Area Overlay and an Airport Obstacle Limitation Area Overlay however neither associated code is applicable. In regard to the Bushfire-Prone Areas Code, the proposal does not involve subdivision nor vulnerable/hazardous use and is therefore exempt. In regard to the Safeguarding of Airports Code the structure is less than 155m high, and also exempt.

No other Codes or Specific Area Plans apply to the proposal.

COMMUNITY ENGAGEMENT

On 25/05/2023, Council received an application for the above development. Under section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 31/05/2023;
- (b) Making a copy of the proposal available in Council Offices from the 31/05/2023;
- (c) Notifying adjoining property owners by mail on 30/05/2023; and
- (d) Erecting a Site Notice for display from the 30/05/2023.

The period for representations to be received by Council closed on 14/06/2023.

REPRESENTATIONS

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representation is from the southern neighbour and is **appended to the report in full as an Attachment**. A number of issues have been raised. Each is reproduced below, followed by a response.

I was the person that brought this to council attention back in January, only after continue email did council get off its backside and investigate.

While the council said it issued a building order, it has not issued section 247 (2a)

Demolish yet the construction is in disrepair, likely to cause injury to other landholders.

Response – section 247 of the *Building Act, 2016* does not necessitate demolition of illegal structures.

This is a very old sea container that was rusty, just had a coat of house paint, the steel construction is substandard, not welded by qualify tradesman, I fail to see how can comply with build code of Aust.

If I understand correct needs ceft of compliance roof area over 36sq/m . class 10

Response – This application is for a planning permit. Compliance with the Building Code can only occur after necessary planning permits are in place.

My question as harry knew this was illegal when he brought house (as advised) why the special treatment

Response – The owner has made the necessary application for retrospective planning approval following the issue of a Building Order notice. There has been no process afforded the applicant different to what any person would be afforded.

1 his drawing very detailed, is it council intention, not to have it engineer and ceft of compliances. after conversation with building surveyor, the reason most structural eng or surveyor will not look at this is structural integrity.

The council own web site clearly sets out steps for illegal building works.

Response – The applicant is adhering to the steps set out on Council's website regarding illegal building works as he has commissioned plans from an accredited designer and applied for a planning permit. Engineering aspects of the extension are governed by the Building Act.

PLANS BY AN ACCREDITED DESIGNER

WHY DO YOU FORCE ON OTHER PEOPLE but not harry Harrison

Response – as stated above the submitted plans have been drawn by an accredited designer. Such plans, however, are not required at the planning application stage.

Is it council intention to take full liability for this substandard structure for next 50 yrs

Surely given the nature of substandard build council would ask it be demolished or prove via engineer that it can comply with code of aust and a building surveyor is going to put his name on it .

Response – The applicant is currently undertaking the necessary work to ensure the extension has all required permits.

I too have container sitting by side my shed, maybe 9yrs ago I asked council if I could do the same as Harrison has done, I was told that the view of developers in set of caveats they wish to have respected for development of area, that council would not approve.

IS IT COUNCIL position that has changed, am I only to roof over container, first, then worry about planning later, who needs engineer.

I be please if you can advise in writing as there are 2 more residents in this area that wish do same.

Response – There do not appear to be any caveats or covenants relating to the subdivision in accordance with the representor's statement above, in any case Council does not have the jurisdiction to administer such requirements.

To the writer's knowledge there have not been any such limitations in the past 9 years. Provided the necessary permits are obtained shipping containers may be roofed.

Has mr Harrison provided building report that he would have untaken prior to buying this property which would have confirmed it was illegal, or just like the boundary line between myself and him, which as you know is issue (when confronted his reply, I not going to spend f---money on that) it appears mr Harrison problem is is arrogance WHY SHOULD RATEPAYER reward that.

Response – There is no requirement for purchasers to obtain building reports, nor to supply these to Council if obtained.

The other problem is it to close to back neighbour lovely people, mr Harrison is using building as commercial storages and business activity.

CLEAN UP TASSIE .au

He is running his business out of this building, his truck is around 6-8 tonne capacity, he comes and goes with it all day, comes home loaded with things, my bee chemicals hide in shed, then leaves empty. it appears he stated storing demolition material on site

He has large industrial sprayer, the type used by forestry or parks /wildlife to put down hazardous 1080 spray (why would you drag this from Queensland if not using) it quite apparent from his web he running a business, including spraying all these equipment and chemical in this shed

Even under home business planning would not comply

SOME GIRL once said

As a publicly listed service it would be evident the property is being used for a commercial activity. contrary to the permit condition (kylie lunson)

Response – The website listed above refers to a home maintenance business. By its very nature the business must operate offsite and not on the property. There are no limits to the size of trucks that may be parked on private property, provided their operation does not cause a nuisance.

I object to this planning application on grounds it should be either demolished or proven first by a accredited designer(Devonport council own words) that it will comply with building code and they can obtain a engineering that will certify and a surveyor that will issue cerft of compliance.

WHY IS council allowing special treatment

Furthermore, I expect council action and the cease use of building on commercial use.

The council seem to be offer special treatment or turning blind eye to mr Harrison activity

I will be following this to end even if council hide behind their silence hopefully a council meeting shall be better as it brings it out to everyone attention

Response – The applicant is undergoing the process necessary to ensure compliance with both planning and building requirements. There is insufficient evidence to demonstrate a business is operating from the site.

The representation does not raise any concerns that warrant refusal of the application nor additional conditions to be placed on the permit. Compliance with the requirements of the National Construction Code will ensure the issues raised are dealt with.

FINANCIAL IMPLICATIONS

No financial implications are predicted, unless an appeal is made against the Council's decision to the Tasmanian Civil and Administrative Tribunal. In such instance, legal counsel will likely be required to represent Council. The opportunity for such an appeal exists as a result of the Council determining to either approve or refuse the permit application.

RISK IMPLICATIONS

In its capacity as a Planning Authority under the *Land Use Planning and Approvals Act 1993* (LUPAA), Council is required to make a determination on this application for a discretionary planning permit. Due diligence has been exercised in the preparation of this report and there are no predicted risks associated with a determination of this application.

CONCLUSION

The development has been assessed by Council's Development and Infrastructure and Works staff and can be approved with conditions.

ATTACHMENTS

1. Application PA2023.0080 - 12 Donvista Drive **[4.1.1 - 17 pages]**
2. Representation - David Marshall - PA2023.0080 - 12 Donvista Drive **[4.1.2 - 9 pages]**

4.2 PA2023.0066 - 7-9 FINLAYSONS WAY DEVONPORT - BULKY GOODS SALES (DEMOLITION AND DEVELOPMENT OF LARGE FORMAT RETAIL SALES)

Author: **Alex Mountney, Land Use Planning Coordinator**

Endorser: **Kylie Lunson, Executive Manager**

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2023.0066 and grant a Permit to use and develop land identified as 7-9 Finlaysons Way, Devonport for the following purposes:

- Bulky goods sales (demolition and development of large format retail sales)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the following endorsed plans and documentation referenced as:
 - Development Plans - Proposed Commercial Warehouse Development - Job No. 2211787, dated 28th April 2023 by Architecton;
 - Proposed Service Connections Plan – Project No. 23E99-02 by JSA (Tas) Pty Ltd;
 - Traffic Impact Assessment, dated 1.05.23 by Impact; and
 - Environmental Site Assessment Report, dated 19.04.23 by Environmental Management & Consulting (EM&C),

copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to provide a detailed landscaping plan, highlighting landscaping along the Formby Road frontage and proposed vegetation species/anticipated heights. The plan is to be endorsed by Council's Executive Manager prior to the acceptance of the building application by the Permit Authority (refer to note).
3. Disposal of all hazardous waste, including potentially contaminated soil and water, is to be undertaken in strict compliance with the *Environmental Management and Pollution Control (Waste Management) Regulations 2020* and the endorsed Environmental Site Assessment Report by EM&C dated 19.04.2023.
4. Further to condition 3, the developer is to provide Council with a Waste Management Plan. The Waste Management Plan must be endorsed by Council's Executive Manager prior to the acceptance of the building application by the Permit Authority.
5. The developer is to manage any asbestos found during demolition in accordance with the *How to Safely Remove Asbestos Code of Practice* issued by Safe Work Australia (October 2018).
6. All compressors, generators and pumps are to be installed within an area which is so

constructed as to prevent noise emissions from affecting occupiers of other premises.

7. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development site being impervious. There is to be no uncontrolled overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to lodgement of any subsequent building permit applications.
8. Subject to condition 4 and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
9. The developer is to ensure that building, driveway, and car parking areas are set at suitable levels to ensure that stormwater site drainage can be piped at suitable gradients to the required service connection point.
10. All new driveways on Finlaysons Way are to be constructed of industrial strength concrete as per the Tasmanian Standard Drawing, TSD-R16, for the crossover and the driveway up to the property boundary.
11. Any alteration to the constructed vehicular crossovers and driveway is to be in accordance with Council's plans and specifications and is to be approved by Council's City Infrastructure department.
12. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
13. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street Carparking. In addition, the requirements of AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities are to be met.
14. Certification and details from a suitably qualified civil or structural engineer must be submitted to Council regarding all retaining walls over the height of 1m.
15. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and

provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Permitted hours of demolition/construction work are Monday to Friday from 7am - 6pm, Saturday from 9am - 6pm and Sunday and statutory holidays from 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

The developer is to ensure all required action is undertaken to protect neighbouring buildings and infrastructure. Building Protection Work may be applicable, and the developer is to liaise with a registered building surveyor regarding this matter.

Further to condition 2, it is recommended the developer contact Council's City Engineer to ascertain Council's preferred list of vegetation species and any recommendations.

In regard to condition 15 the developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 7 -14 the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

Enquiries regarding other conditions and notes can be directed to Council's Development Services Department – Ph 6424 0511.

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 2.1.2 Provide consistent and responsive development assessment and compliance processes

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2023.0066.

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	7-9 Finlaysons Way, Devonport
Applicant:	GHD obo 7-9 Finlaysons Way Devonport Development Pty Ltd
Owner:	Shane Hill Electrical Pty Ltd
Proposal:	Bulky goods sales (demolition and development of large format retail sales)
Zoning:	Commercial
Decision Due:	02/07/2023

SITE DESCRIPTION

The site is identified by the Certificate of Title 142712/1 with the property address of 7-9 Finlaysons Way, Devonport. The site encompasses an area of 4500m² and has road frontages to Formby Road to the west and Finlaysons Way to the east. A large open

outbuilding is located along the southern boundary of the site, with the remaining area of the site vacant from buildings. The site is immediately surrounded by an electrical contractor depot to the north and a single dwelling to the south. Historically, the site accommodated a foundry operated by Finlayson Bros Pty Ltd.

Figure 1 is a recent aerial image of the site. Figure 2 is a copy of the property title. Figures 3 and 4 are recent images of the property.



Figure 1 – Aerial image of the site and surrounds (DCC, 2022)

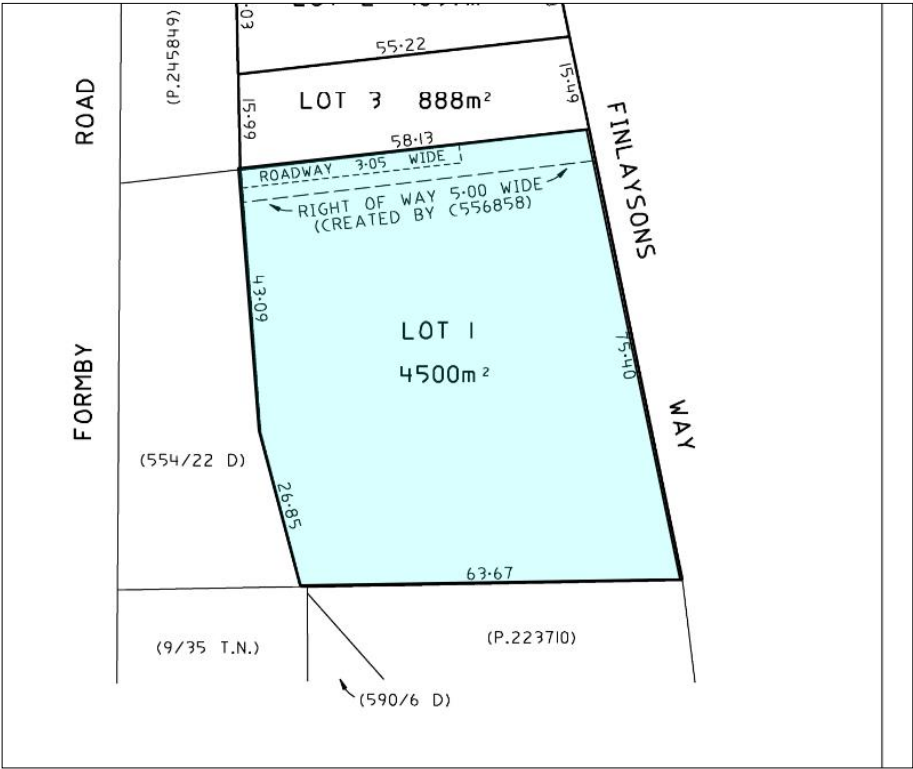


Figure 2 – Title Plan of the subject site (The List, 2004)



Figure 3 – Image of the site taken from the near the north-west property boundary (DCC, 2023)



Figure 4 – Image of the site taken from the near the south-east property boundary (DCC, 2023)

APPLICATION DETAILS

The applicant (GHD) is seeking approval to demolish all infrastructure on the site to facilitate the development of large format retail sales - Bulky Good Sales (as defined in the planning scheme).

The proposed building will have a footprint of approximately 2,800m² and a maximum height of 10.8m. The building is proposed to be split into two separate tenancies, with a car park accommodating 45 spaces located between the building and Formby Road. A

loading dock and goods lift will be shared between the tenancies, which will be accessed from Finlaysons Way. Advertising signage is proposed on the façade of the building facing Formby Road, along with a pylon sign along the Formby Road frontage. Figure 5 is a copy of the site plan and Figures 6-8 are various visual perspectives of the development.

A full copy of the development application – including supporting planning submission, development plans, traffic impact assessment and site environmental report is **appended as an Attachment to this report.**



Figure 5 – Site plan – ground floor plan (Architecton, 2023)



Figure 6 – Visual perspective of proposal looking from Formby Road (Architecton, 2023)



Figure 7 – Visual perspective of proposal looking from Formby Road (Architecton, 2023)



Figure 8 – Visual perspective of proposal looking from Finlaysons Way (Architecton, 2023)

PLANNING ISSUES

The land is zoned Commercial under the *Tasmanian Planning Scheme – Devonport, 2020*. The intent of the zone is:

17.1.1 To provide for retailing, service industries, storage and warehousing that require:

- (a) large floor or outdoor areas for the sale of goods or operational requirements; and
- (b) high levels of vehicle access and parking for customers.

17.1.2 To provide for a mix of use and development that supports and does not compromise or distort the role of other activity centres in the activity centre hierarchy.

Figure 9 is a zoning map of the site (outlined in red) and surrounding locality.

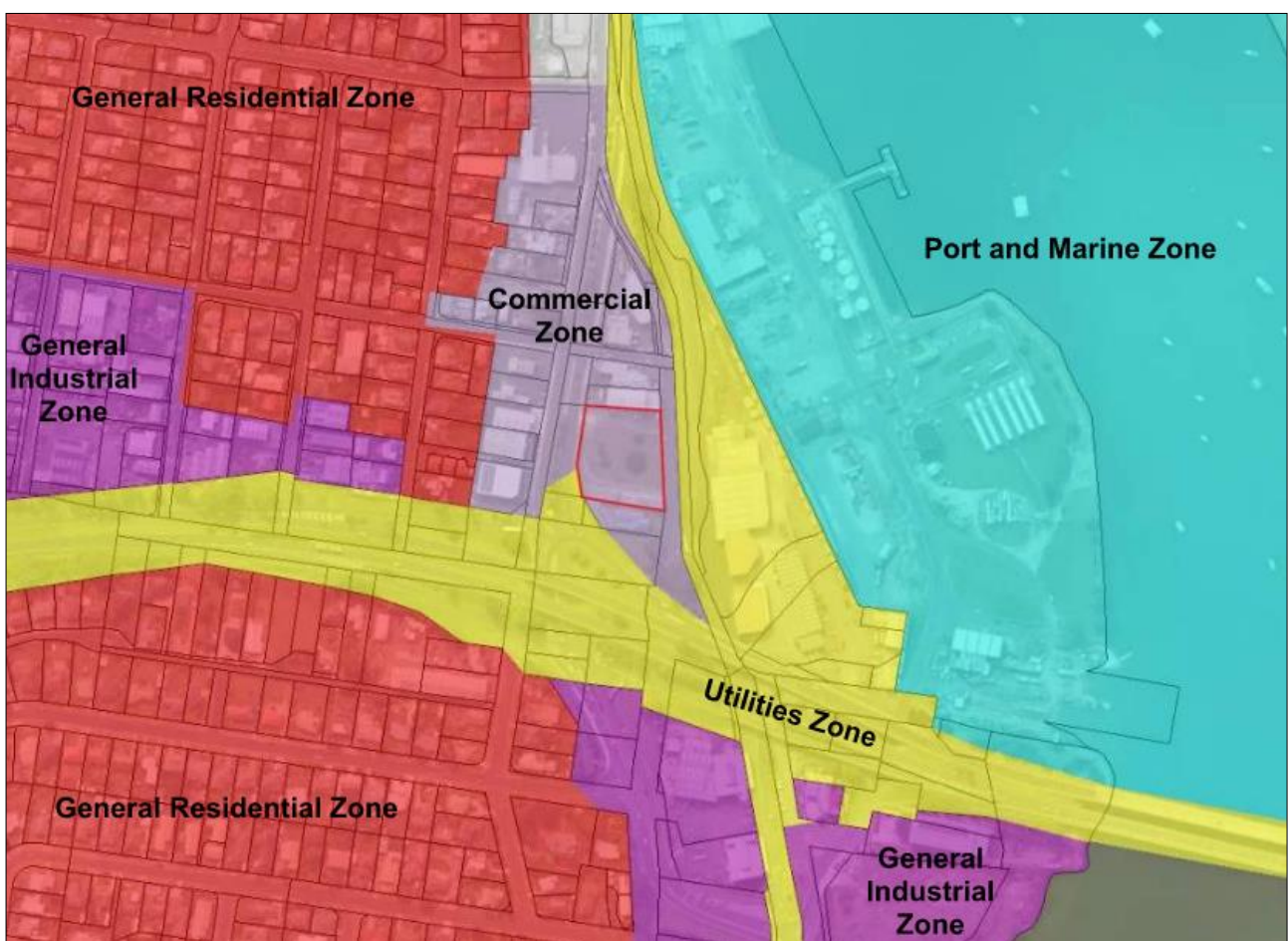


Figure 9 – Zoning map of the site and surrounding locality (GHD, 2023)

Clause 6.2 of the planning scheme states that proposed use or development must be categorised into a Use Class. As mentioned earlier in the report, the most appropriate use classification for the proposal is Bulky Good Sales. This use is defined as:

“use of land for the sale of heavy or bulky goods which require a large area for handling, storage and display. Examples include garden and landscaping materials suppliers, rural suppliers, timber yards, trade suppliers, showrooms for furniture, electrical goods and floor coverings, and motor vehicle, boat or caravan sales.”

Bulky Good Sales is Permitted without qualification in the Commercial Zone.

Provided the development can meet the development standards within the zone and applicable codes at the acceptable solutions level, the application is not required to be advertised and must be approved pursuant to section 58 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

If the proposal cannot meet the relevant acceptable solutions, the application is Discretionary and is required to be advertised. The corresponding performance criteria are assessed to determine if a planning permit pathway can be achieved. This process invokes section 57 of the LUPAA.

In this case, the application relies on the performance criteria for various development standards which are shown in Table 1. All other development standards have been assessed as complying with the acceptable solutions. For reference, GHD has provided a comprehensive planning compliance statement against the applicable planning scheme provisions, which can be found within the appended application documentation. This statement has been reviewed along with the proposed plans and can be supported without further commentary (where compliance with the acceptable solution has been demonstrated).

Development Standard	Reason why the performance criteria is invoked
17.4.4 - <i>Fencing</i> (17.0 Commercial Zone)	A 1.8m solid fence is proposed along the southern side boundary of the site between the front of the building and Formby Road. The fence will extend to 2m to the Formby Road frontage. The fence exceeds the fence exemptions as no visual transparency is proposed.
17.4.6 - <i>Landscaping</i> (17.0 Commercial Zone)	Landscaping to a depth of 2.1m is proposed along the Formby Road frontage, where the acceptable landscaping depth is 5.5m.
C1.6.1 - <i>Design and sitting of signs</i> (C1.0 Signs Code)	The 4 wall signs on the western elevation each have an area of 11.5m ² which exceeds the maximum area of 4.5m ² for each sign prescribed under the wall sign standards. In addition, the pole sign exceeds the acceptable pole sign standards as it exceeds 5m in height (6m proposed) and has an area of 10m ² for each face (5m ² acceptable threshold).
C2.5.1 - <i>Car parking numbers</i> (C2.0 Parking and Sustainable Transport Code)	A total of 65 on-site parking spaces are required to satisfy the acceptable solution. The development is proposing 45 on-site parking spaces.
C2.5.3 - <i>Motorcycle parking numbers</i> (C2.0 Parking and Sustainable Transport Code)	A total of 2 motorcycle parking spaces are required. No motorcycle parking is incorporated as part of the development.

C3.5.1 – <i>Traffic Generating at a vehicle crossing, level crossing or new junction</i> (C3.0 Road and Railway Assets Code)	Vehicle traffic to the site will increase in volume by greater than 20% or 40 vehicle movements per day.
C14.6.1 – Excavation works, excluding land subject to the <i>Macquarie Point Development Corporation Act 2012</i> (C14.0 Potentially Contaminated Land Code)	The site previously accommodated a foundry, which is a potentially contaminating activity. The excavation works associated with the development are expected to slightly exceed the acceptable threshold of 250m ³ .

Table 1 – Discretions identified for PA2023.0062

The relevant development standards of the planning scheme where the performance criteria are invoked as discussed in Table 1 are reproduced below, followed by the applicant's supporting rationale and officer comment.

Commercial Zone

17.4.4 Fencing

<p>Objective:</p> <p>That fencing:</p> <p>(a) is compatible with the streetscape; and</p> <p>(b) does not cause an unreasonable loss of residential amenity to adjoining residential zones.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.²</p> <p>² An exemption applies for fences in this zone – see Table 4.6.</p>	<p>P1</p> <p>A fence (including a free-standing wall) within 4.5m of a frontage must be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) its height, design, location and extent; (b) its degree of transparency; and (c) the proposed materials and construction.

Supporting Rationale by GHD:

Comment: Complies with PC

Existing fencing on the Formby Road frontage would be removed. A 1.8m fence would be constructed along the southern boundary from the proposed building to a point 2m from the Formby Road frontage (see Figure 5 below).

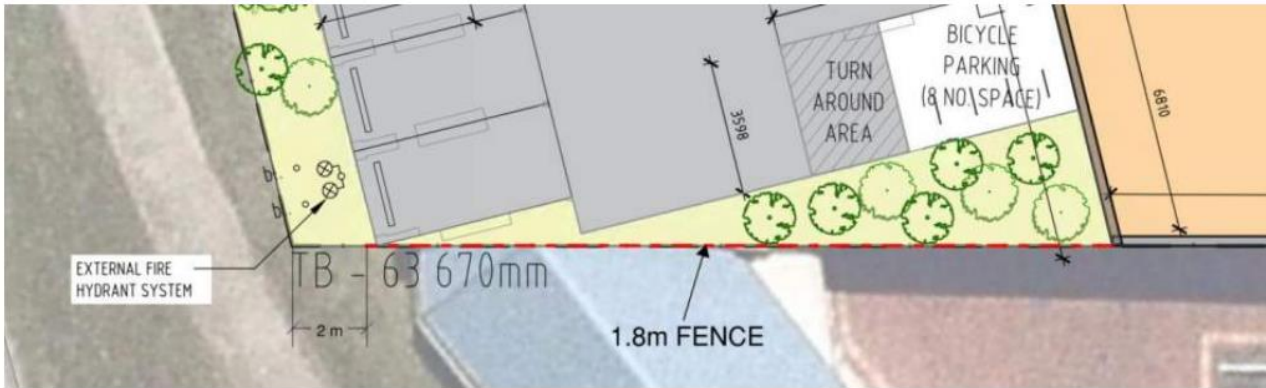


Figure 5 Extract from drawing TP2-002, with 1.8m fence location in broken red line.

The fence would be non-transparent, and the height would be no more than is necessary for privacy. Landscaping and the existing shed on the property to the south would minimise the visual impact of the fence. In comparison to the larger scale of existing and proposed buildings, it is considered that the fence would be suitably compatible with the streetscape. No other fencing or freestanding walls are proposed within 4.5m of the property frontage. It is considered that the Standard is met through the Performance Criteria pathway.

Officer Comment: GHD sufficiently demonstrate that the performance criteria can be met for P1 of the above development standard. Further comment is not required.

17.4.6 Landscaping

<p>Objective:</p> <p>That landscaping enhances the amenity and appearance of the streetscape where buildings are setback from the frontage.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:</p> <ul style="list-style-type: none"> (a) to a depth of not less than 5.5m; or (b) not less than the frontage of an existing building if it is a lesser distance. 	<p>P1</p> <p>If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:</p> <ul style="list-style-type: none"> (a) the width of the setback; (b) the width of the frontage; (c) the topography of the site; (d) existing vegetation on the site; (e) the location, type and growth of the proposed vegetation; and (f) the character of the streetscape and surrounding area.

Supporting Rationale by GHD:

Comment: Complies with PC

The proposal involves landscaping treatments that accord with the matters listed in the Performance Criteria as follows:

- (a) The proposed landscaping would have a width (depth) of 2.1m.
- (b) Landscaping would extend along the majority of the Formby Road Frontage.
- (c) The Formby Road frontage provides a topography that is conducive to landscaping that would appropriately soften the appearance of the development from the most publicly frequented locations.
- (d) The site currently contains no vegetation of significance.
- (e) The location, type and growth of the proposed vegetation has not been specified at this point in time. It would be developed in consultation Council, to ensure species selection is appropriate. It is considered appropriate that approval is conditional on a landscaping plan being developed as follows:

A landscaping plan must be submitted to and approved by the Council's General Manager or delegate prior to the submission of a building application. The landscaping plan must complement the existing landscaping treatments along Formby Road and in the local area to the General Manager or delegate's satisfaction.

- (f) Landscaping treatments along Formby Road and along the Petbarn frontage (1-3 Finlaysons Way) are significant character forming elements of the streetscape and surrounding area. It is considered appropriate that landscaping complements the significant efforts gone into landscaping in the local area, hence the condition proposed at (e) above.

After giving regard to matters listed, it is considered that the Standard can be met through the Performance Criteria pathway.

Officer Comment: GHD demonstrate the performance criteria can be satisfied for P1. As mentioned within the supporting rationale within section (e), a condition regarding a landscaping plan to be approved by Council is thought appropriate and will be included as a condition forming part of the permit.

C1.0 Signs Code

C1.6.1 Design and siting of signs

<p>Objective:</p> <p>That:</p> <p>(a) signage is well designed and sited; and</p> <p>(b) signs do not contribute to visual clutter or cause an unreasonable loss of visual amenity to the surrounding area.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A sign must:</p> <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and (b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following 	<p>P1.1</p> <p>A sign must:</p> <ul style="list-style-type: none"> (a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: <ul style="list-style-type: none"> i. the size and dimensions of the sign;

<p>sign types, for which there is no Acceptable Solution:</p> <ul style="list-style-type: none"> (i) roof sign; (ii) sky sign; and (iii) billboard. 	<ul style="list-style-type: none"> ii. the size and scale of the building upon which the sign is proposed; iii. the amenity of surrounding properties; iv. the repetition of messages or information; v. the number and density of signs on the site and on adjacent properties; and vi. the impact on the safe and efficient movement of vehicles and pedestrians.
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Supporting Rationale by GHD:

Comment: Complies with AS

4 signs are proposed on the western wall of the building, facing Formby Road. The areas are marked "signage zone" on plan number TP5-002. Each sign would be non-illuminated, affixed flat to the wall and have dimensions of 1.7m x up to 6.75m. These signs could either be categorised as transom signs, building fascia signs or wall signs. The building does not have a fascia to speak of and so it is considered that they are not appropriately

categorised as a building fascia signs. The transom is located immediately above the door, usually below an awning, which is not what is proposed. Therefore, it is considered that they are not appropriately categorised as a transom sign.

It is considered that wall signs is the more accurate categorisation. Each sign would have an area of 11.5m², which is greater than the AS.

In accordance with P1.1(a), the Commercial Zone allows wall signs. In accordance with P1.1(b), it is considered that the proposed wall signage would be compatible with the streetscape. Each criteria of P1.1(b) is considered below in turn:

- (i) the proposed wall signage would be similar in size and impact to those on adjacent and nearby businesses including Allgoods, Action Autoglass, Shane Hill Electrical, political signage on the neighbouring fence, the Stihl shop, Petbarn and Newmans Home Furnishings;
- (ii) The proposed wall signage would not be disproportionate compared to building size;
- (iii) The amenity of surrounding properties is unlikely to be impacted by the proposed signage.
- (iv) Information would be tailored to meet the requirements of each tenant. Repetition is unlikely to be an issue.
- (v) The number and density of signs is low and typical of most commercial signage and would be similar to that in the area.
- (vi) Signage would have no significant impact on pedestrian and vehicle movement.

A pole sign is proposed at the Formby Road frontage, as shown on drawing number TP2-002, TP5-001, TP6-001 and the perspective drawings. The pole sign would not be illuminated and would measure 3m(w) x 0.6m(d) x 6m(h), which is greater than the AS. The display area would have two sides, each 10m² and have a clearance height of 2.7m.

In accordance with P1.1(a), the Commercial Zone allows pole signs. It is considered that this small commercial area will become more commercial in character as new businesses establish. In accordance with P1.1(b), it is considered that the proposed pole sign would be reasonably compatible with the streetscape. Each criteria of P1.1(b) is considered below in turn:

- (i) the proposed pole sign would be typical in height and dimension to pole signage in typical commercial retail areas. It would be wider but similar in overall height to the blade signage at the nearby Stihl shop.
- (ii) The proposed wall signage would not be disproportionate compared to building size;
- (iii) The amenity of surrounding properties is unlikely to be significantly impacted by the proposed signage.
- (vii) Information would be tailored to meet the requirements of each tenant. Repetition is unlikely to be an issue.
- (viii) Only a single pole sign is proposed.
- (ix) Signage would have no significant impact on pedestrian and vehicle movement.

It is considered that the Standard is met through the Performance Criteria pathway.

Officer Comment: GHD has adequately addressed all the tests within P1.1. It is noted the sign types proposed are permitted in the Commercial Zone and they are not proposed to be illuminated. Although works are yet to commence, the Planning Authority recently approved a blade sign (similar to a pole sign) associated with Vehicle Fuel Sales & Service and Food Services at 10 & 11 Formby Road (refer to PA2022.0035).

C2.0 Parking and Sustainable Transport Code

C2.5.1 Car parking numbers

Objective:	
That an appropriate level of car parking spaces are provided to meet the needs of the use	
Acceptable Solutions	Performance Criteria
A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:

<p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <ul style="list-style-type: none"> i. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or ii. the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: <p style="margin-left: 40px;">$N = A + (C - B)$</p> <p style="margin-left: 40px;">N = Number of on-site car parking spaces required</p> <p style="margin-left: 40px;">A = Number of existing on site car parking spaces</p> <p style="margin-left: 40px;">B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p style="margin-left: 40px;">C = Number of on-site car parking spaces required for the proposed use or</p>	<p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <ul style="list-style-type: none"> i. variations in car parking demand over time; or ii. efficiencies gained by consolidation of car parking spaces; <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p>
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development specified in Table C2.1	
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Supporting Rationale by GHD and Traffic Impact Assessment by Impact:

The application includes a Traffic Impact Assessment from Impact (see Appendix C), which addresses P1.1 at pages 16 and 17. It concludes that an appropriate number of car parking spaces is provided to meet the needs of the use. It is considered that the assessment is reasonable and demonstrates compliance with the Standard through the Performance Criteria pathway.

ASSESSMENT	
Required	<p>The proposed bulky Good Goods Retail development has a calculated floor area of 3,242 sq.m.</p> <p>At this development yield, a requirement 65 spaces are triggered.</p>
Provided	<p>A total of 45 spaces comprising 43 standard bays, and 2 bays for persons with disability are planned.</p> <p>This provision does not meet the acceptable standard. A performance assessment is warranted.</p>
Performance Assessment	
(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;	<p>The subject site has a frontage to Finlaysons Way. Along this frontage, a total of 2 parking spaces are available once allowance is made for the safe and convenient movement of heavy vehicles.</p> <p>These spaces are unrestricted parking spaces within a commercial zone and could be relied on by staff members.</p> <p>Allowing for these spaces, the proposed development reasonably benefits from a total of 47 spaces.</p>
(h) any assessment by a suitably qualified person of the actual car parking demand	<p>Studies undertaken by Roads and Maritime Services (NSW) as documented in report titled Trip Generation and Parking Generation Surveys - Bulky Goods / Hardware Stores revealed that for</p>

determined having regard to the scale and nature of the use and development.

comparable sized Bulky Goods Retail premises, demand in the range of 0.41 spaces - 0.91 spaces per 100 sq.m would be expected. Details below.

Site	Size (GFA)	Peak Parking Demand
BG 1- Freedom, Balgowlah	4,300 sq.m	0.91 spaces / 100 sq.m
BG 6 - Fantastic, South Nowra	1,700 sq.m	0.41 spaces / 100 sq.m
Average		0.66 spaces / 100 sq.m
85 th % ile		0.84 spaces / 100 sq.m

At the above rates, the proposed Bulky Goods Development is forecast to generate a demand for between 21 spaces (on average) and up to 30 spaces.

The proposed provision of 45 spaces on site comfortably exceeds the anticipated demand.

The foregoing assessment demonstrates that the proposed development provides a suitable level of car parking to cater for the actual demand, and in the unlikely scenario that demand exceeds the available parking opportunities provided, staff can use on street parking opportunities along Finlaysons Way to supplements the on-site parking.

On this basis, the proposed development satisfies the purpose of C 2.5.1. Car Parking Numbers, which is:

- To ensure that an appropriate level of car parking spaces are provided to meet the needs of the use

Officer Comment: The information provided within the Traffic Impact Assessment by Impact has been reviewed by Council's Planning and Infrastructure & Works Departments. It has been sufficiently demonstrated that the development accommodates an appropriate level of parking in accordance with P1.1.

C2.5.3 Motorcycle parking numbers

<p>Objective:</p> <p>That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site motorcycle parking spaces for all uses must:</p> <ul style="list-style-type: none"> (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained. 	<p>P1</p> <p>Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and

	(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.
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Supporting Rationale by GHD and Traffic Impact Assessment by Impact:

Comment: Complies with PC

The Traffic Impact Assessment from Impact addresses P1 at page 19. It concludes that it is not necessary to make specific provision for motorcycles to meet the needs of the use. It is considered that the assessment is reasonable and demonstrates compliance with the Standard.

ASSESSMENT	
Required	The proposed Bulky Goods Retail development provides 45 spaces. At this quantum a requirement for 2 motorcycle spaces is triggered.
Provided	Zero (0) Motorcycle spaces are provided. This provision does not meet the acceptable standard. A performance assessment is warranted.
Performance Assessment	
(a) the nature of the proposed use and development;	The proposal is a bulky goods development. Given the bulky nature of the goods sold, this development typologies typically attracts visitors that use a motor vehicle as this mode of transport provides the required ease and convenience.
(e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.	We acknowledge that motorcycle use may be a viable alternative for staff. In this regard, the assessment provided at 5.1.3 shows that the proposed 45 parking spaces will more than comfortably cater for the forecast demand of 30 spaces. To this end, should there be a need for motor cycle parking, it is reasonable to expect that this demand would be catered for in a standard parking bay without displacing car parking demand.

On this basis, the proposed development satisfies the purpose of C 2.5.3. Motor Cycle Parking Numbers, which is:

- To ensure that an appropriate level of motorcycle parking spaces are provided to meet the needs of the use

Officer Comment: The information provided within the Traffic Impact Assessment by Impact has been reviewed by Council's Planning and Infrastructure & Works Departments. It has been identified that the development has an appropriate level of parking without the need for individual motorcycle parking bays. P1.1 is satisfied.

C3.0 Road and Railway Assets Code

Objective:

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

Acceptable Solutions	Performance Criteria
<p>A1.1</p> <p>For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2</p> <p>For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3</p> <p>For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4</p> <p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road. <p>A1.5</p> <p>Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>P1</p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.

Supporting Rationale by GHD and Traffic Impact Assessment by Impact:

Comment: Complies with P1

The Traffic Impact Assessment from Impact addresses the P1 at page 30. It concludes that the adverse effects on the safety and efficiency of the road network from vehicular traffic generated from the site would be appropriately minimised. It is considered that the assessment is reasonable and demonstrates compliance with the Standard.

The Traffic Impact Assessment also includes a review of impacts on the road and traffic environment, concluding at page 37, that in the post development scenario (including a service station at 10-11 Formby Road), nearby intersections would continue to operate satisfactorily.

It is considered that the Standard is met through the Performance Criteria pathway.

Tasmanian Planning Scheme - Devonport	Code 3.0: Road and Railway Assets Code
<p>C 3.5.1. Traffic Generation at a Vehicle Crossing</p>	<p>Acceptable Solution (A1.4) requires that Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> — Vehicle crossing on major roads: 10% or 10 vehicle movements per day, whichever is the greater — Vehicle crossings on other roads: 20% or 40 vehicle movements per day, whichever is the greater <p>The proposal relies on existing access points to Formby Road and Finlaysons Way</p> <p>The proposed development will increase the level of traffic to both the existing Formby Road Access and Finlaysons Way access by more than the prescribed volumes.</p> <p>Assessment at Section 6.2 reveals that the proposed development is expected to generate up to 82 trips in any one hour, with this volume distributed between the existing Formby Road access and the Finlaysons Way Access.</p> <p>This additional volume will predominately comprise passenger vehicles and shall comprise mostly low conflict movements LEFT IN / LEFT OUT movements to Formby Road. The Access on Formby Road is designed in a manner that can accommodate simultaneous inbound and outbound movement of light commercial vehicles (vans).</p> <p>Where higher conflict movements are expected (RIGHT Turn at Formby Road / Elizabeth Street), these movements will be accommodated on an auxiliary turn lane. This arrangement will preserve the safety of the intersection.</p> <p>Assessment at Section 6 reveals that the additional volumes generated by the proposed development will have No Material Change to the operation of the existing road network.</p> <p>Importantly, and in relation to the operation of the Formby Road access, the assessment confirms that queues induced from the Formby Road / Bass Highway intersection will not affect the operation of the Formby Road access.</p> <p>Specifically, queues of up to 59 metres are anticipated on Formby Road on its approach to the Formby Road / Bass Highway intersection.</p> <p>The Formby Road access is located about 70 meters to the North of the Formby Road / Bass Highway intersection. Accordingly, the site access point will operate satisfactorily without adverse effects on the safety of the access or safety or efficiency of the road network.</p> <p>It is also observed that the subject site is located within the Commercial Zone. This Zone has the purpose of providing for retailing, service industries, storage and warehousing that require:</p> <ul style="list-style-type: none"> (a) large floor or outdoor areas for the sale of goods or operational requirements; and (b) high levels of vehicle access and parking for customers. <p>There is a legitimate need for the use, and the subsequent increase in volumes.</p> <p>On this basis, we consider that the proposed development satisfies the performance criteria and the purpose of C 3.5.1. Traffic Generation at a Vehicle Crossing, which is to ensure:</p> <ul style="list-style-type: none"> — That a proposed development has minimise any adverse effects on the safety and efficiency of the road from vehicular traffic generated from the site at an existing or new vehicle crossing.

Officer Comment: Council's Infrastructure & Works Department has reviewed the Traffic Impact Assessment by Impact. The details and calculations provided have been scrutinised and nothing contrary to the findings have been identified. The development is not seen to impact the safety of the local road network and no changes to Formby Road or nearby junctions are required to facilitate the development. P1 of this standard is met.

C14.0 Potentially Contaminated Land Code

<p>Objective:</p> <p>That works involving excavation of potentially contaminated land, excluding on land subject to the Macquarie Point Development Corporation Act 2012, do not adversely impact on human health or the environment.</p>	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Excavation, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i>, must involve less than 250m³ of site disturbance.</p>	<p>P1</p> <p>Excavation, excluding on land subject to the <i>Macquarie Point Development Corporation Act 2012</i>, must not have an adverse impact on human health or the environment, having regard to:</p> <ul style="list-style-type: none"> (a) an environmental site assessment that demonstrates there is no evidence the land is contaminated; (b) an environmental site assessment that demonstrates that the level of contamination does not present a risk to human health or the environment; or (c) an environmental site assessment, including a plan to manage contamination and associated risk to human health and the environment, that includes: <ul style="list-style-type: none"> (i) any specific remediation and protection measures required to be implemented before excavation commences; and (ii) a statement that the excavation does not adversely impact on human health or the environment.

Supporting Rationale by GHD:

Comment:

The proposal involves excavations and site disturbance, most of which would be for foundations and benching the basement level. A preliminary estimate is that it would exceed a volume of 250m³ by a small amount a Phase 1 Environmental Site Assessment Report by EM&C is submitted with the application (see Appendix D). The assessment reports on the findings from a 2008 Shallow Site Assessment by EM&C, which finds that the excavated material is not anticipated to represent contamination above exceedance levels.

The primary activity with potential risk of human exposure is the excavation for foundations. This is associated with potential risk to construction workers (i.e. dermal contact with potentially impacted soil). The other risk is the management of waste (i.e. potential risk associated with material release to the environment such as down-gradient ecological receptors).

In assessment of the risk to construction workers during excavation activities, the primary exposure pathway is likely to be dermal contact and inhalation (i.e. dust). Based on typical residual contamination scenarios, it is considered that risk can be suitably addressed by the use of PPE, typically worn during construction activity (i.e. protective gloves, long sleeve shirt, trousers, mask etc.).

A Waste Management Plan is recommended in the report and is considered to be appropriate for the management of potential contaminant scenarios that are exposed during site excavation. The Waste Management Plan would specify trigger events during site works, such as the discovery of abnormal soil coloration or submerged objects and appropriate responses to those trigger events including the cessation of works (if necessary) at that location and the engagement of an appropriately qualified environmental practitioner for further advice.

This is considered a suitable and effective method of managing the risk to human health and the environment, especially in the context of the report, which indicates the bulk of excavated material is not anticipated to represent notable contamination risk.

It is considered that such a plan is a reasonable condition of approval and would achieve compliance through the Performance Criteria pathway.

Officer Comment: In support of the GHD rationale, a copy of the site environmental assessment by EM&C is included in the application documentation. A condition on the permit will be included regarding the disposal of hazardous waste if encountered and the requirement for a waste management plan to be provided and endorsed by Council prior to works occurring. P1 of this standard can be satisfied.

COMMUNITY ENGAGEMENT

On 09/05/2023, Council received an application for the above development. Under section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 31/05/2023;
- (b) Making a copy of the proposal available in Council Offices from the 31/05/2023;
- (c) Notifying adjoining property owners by mail on 30/05/2023; and
- (d) Erecting a Site Notice for display from the 30/05/2023.

The period for representations to be received by Council closed on 14/06/2023.

REPRESENTATIONS

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*.

The representation was received from Mr Damon, an adjoining landowner to the site's immediate south – 10 Finlaysons Way.

The details of the representation are shown below in Figure 10.

Details of representation

I object to the Application for Planning Permit on the below grounds, noting my concerns regarding the following:

1. Removal of the existing boundary wall that will compromise my garage structure and driveway foundations;
2. Undue noise resulting from the removal of the boundary wall;
3. Compromise of the security of my premises due to removal of the boundary wall;
4. The potential hours of operation and undue noise during and outside of business hours;
- Further restriction of natural light to the front rooms of my property; and
5. There is a Taswater rising sewer main running parallel with the boundary wall on the Applicant's side, noting that the Council documentation show this to be on my side of the boundary wall. Taswater has previously confirmed it to be located on the Applicant's side.

Figure 10 – Details of Representation (Damon, 2023)

Each matter of concern by Mr Damon is addressed below.

1. The removal of an existing boundary wall is not a discretionary component of the application. The developer will likely be required to undertake Protection Work as part of the building permit process to ensure the structural integrity of neighbouring development is not compromised. Further information can be found here [Standard Limitations \(cbos.tas.gov.au\)](https://cbos.tas.gov.au). This matter will also be included as a note on the permit for the developer's reference.
2. Both properties are located within the Commercial Zone and the planning scheme affords no use or development standards to protect the existing dwelling's amenity. If the property were subject to a residential zone, e.g General Residential, further consideration would be required as per Commercial Zone standards 17.3 and 17.4.
3. Not relevant to the determination of this application. It is recommended the representor and developer consult with one another on this matter.
4. Refer to the commentary provided within item 2.
5. TasWater has been referred a copy of the development application. This authority has provided conditions within their Submission to Planning Authority Notice. The building location is not required to be amended.

In summary, no design changes or additional conditions to the plans or permit are required. The representation is to be noted by the Planning Authority.

DISCUSSION

The proposal was referred to TasWater. This authority provided a Submission to Planning Authority Notice (SPAN) which will be included as a permit condition and is **appended to this report as an Attachment**.

The application has also been assessed by Council Departments with an interest in development applications. Feedback received has been included as conditions or notes where appropriate. It is noted that prior to the application being formally lodged, the applicant worked diligently with Council to address the planning scheme requirements as well as infrastructure considerations.

FINANCIAL IMPLICATIONS

No financial implications are predicted, unless an appeal is made against the Council's decision to the Tasmanian Civil and Administrative Tribunal. In such instance, legal counsel will likely be required to represent Council. The opportunity for such an appeal exists as a result of the Council determining to either approve or refuse the permit application.

RISK IMPLICATIONS

In its capacity as a planning authority under the *Land Use Planning and Approvals Act 1993* (LUPAA), Council is required to make a determination on this application for a discretionary planning permit. Due diligence has been exercised in the preparation of this report and there are no predicted risks associated with a determination of this application.

CONCLUSION

The application has been assessed against the applicable development standards of the *Tasmanian Planning Scheme – Devonport*. The application has demonstrated that either the acceptable solutions or performance criteria can be met and conditional approval for the development is recommended.

ATTACHMENTS

1. Application PA2023.0066 - 7-9 Finlaysons Way [**4.2.1** - 212 pages]
2. TasWater Submission to Planning Authority Notice PA2023.0066 - 7-9 Finlaysons Way [**4.2.2** - 3 pages]

5 REPORTS

5.1 RATES AND CHARGES POLICY

Author: **Joshua Jackson, Finance Manager**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council adopt the Rates and Charges 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

This report is provided each year prior to the adoption of the Annual Plan and Budget Estimates to assist Council in the adoption of its Rates and Charges Policy.

BACKGROUND

Council is required under legislation to have a Rates and Charges Policy (the Policy). The current Policy was last reviewed in June 2022. Some minor changes have been made, following recent budget deliberations and the updated policy is presented for council's consideration.

STATUTORY REQUIREMENTS

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

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

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

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

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

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

DISCUSSION

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

The purpose of the Policy is to outline Council's approach to determining and collecting rates from its ratepayers. In determining its Policy, Council considers a number of factors, including the principles established in the Financial Management Strategy (the Strategy). As noted in the Policy and the Strategy, the equity principle of taxation requires ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth. Land value is the indicator used by Council to determine capacity to pay rates.

Following the budget deliberations, the Policy has been updated to reflect a decision to allow indexation on the fixed charge component of the general rate, previously set at \$300 per property.

The Policy has also been updated to clarify current practice that properties with primary production as the predominant land use, will not be charged the Waste Management Charge unless the property also includes a dwelling.

The Act requires that the Rates and Charges Policy be reviewed, at a minimum, each four years.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

It is a legislative requirement to have a Rates and Charges Policy in place.

CONCLUSION

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

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

ATTACHMENTS

1. Rates and Charges Policy [5.1.1 - 6 pages]

5.2 ANNUAL PLAN AND BUDGET ESTIMATES

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

A. ANNUAL PLAN

That in accordance with section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2024 and instructs the General Manager to:

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

B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with section 82 of the *Local Government Act 1993*, the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2023/24 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the Act the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$75,000 to any individual estimate item (including capital works) as deemed necessary during the 2023/24 financial year provided that the total of the Estimates remains unaltered.

C. RATES AND CHARGES 2023/24

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993* and the *Fire Services Act 1979* for the financial year 1 July 2023 to 30 June 2024 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

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

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

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

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

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

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

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

'municipal area' means the municipal area of Devonport;

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

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

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

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

1. RATES RESOLUTION- PART 1 (A)

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

- (a) 9.2244 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$312 on all land or tenancy.

2. RATES RESOLUTION – PART 1(B)

Pursuant to section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 6.9183 cents in the dollar of assessed annual value of such rateable land.

3. RATES RESOLUTION PART 1(C)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used as a residential dwelling of 15 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

4. RATES RESOLUTION PART 1(D)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used for primary production of 15 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

5. RATES RESOLUTION PART 1(E)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used as vacant land of 50 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

6. RATES RESOLUTION – PART 2

6.1 Pursuant to section 94 of the *Local Government Act 1993*, the Council makes the following service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2023 to 30 June 2024:

- (a) a waste management service charge of \$310 upon all land or tenancy to which Council supplies or makes available a kerbside collection service.
- (b) Pursuant to section 94(3) of the *Local Government Act 1993* (Tas) the Council by absolute majority makes a service charge for waste management services to offset a levy payable by the Council to the State Government under the Waste and Resource Recovery Act 2022 (a Waste Management Levy Offset Service Charge) of \$15 upon all land or tenancy to which the Council supplies or makes available a kerbside collection service.

6.2 Pursuant to section 107 of the *Act*, the Council by absolute majority declares that the waste management service charge and the Waste Management Levy Offset Service Charge is varied by reference to the use or predominant use of land as follows:

- (a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$930;
- (b) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the Waste Management Levy Offset Service charge is varied to \$45;
- (c) for all land which is non-used land the service charge and Waste Management Levy Offset Service charge is varied to \$0.00;
- (d) for all land which is predominately used for primary production and not containing a residential dwelling the waste service charge and Waste Management Levy Offset Service charge is varied to \$0.00.

7. RATES RESOLUTION – PART 3

Pursuant to section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2023 to 30 June 2024:

- (e) a Devonport Urban Fire District Rate of 1.2710 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within the Devonport Urban Fire District.
- (f) a Forth/Leith Fire District Rate of 0.3757 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within Forth/Leith Fire District.
- (g) a General Land Fire Rate of 0.3221 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

8. SEPARATE LAND

In relation to all rates and charges for the 2023/24 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

9. ADJUSTED VALUES

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

10. PAYMENT OF RATES AND CHARGES

Pursuant to section 124 of the *Local Government Act 1993*, the rates for 2023/24 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2023
Second Instalment	31 October 2023
Third Instalment	28 February 2024
Fourth Instalment	30 April 2024

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

Penalties

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

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2024; and
- (b) where the ratepayer has an approved bank direct debit payment arrangement.

Supplementary Rates

- (a) Pursuant with sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2024, the General Manager may at his discretion adjust the amount

payable in respect of any or all rates for that land for that financial year in line with the new valuation; and

- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid in accordance with the remaining instalments or within 30 days of the date on which that notice is issued, whichever is the latter.

D. CAPITAL WORKS PROGRAM

That Council pursuant, to section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2023/24 financial year as detailed and note the 10 year forward works program.

E. FEES AND CHARGES

That in accordance with section 205 of the *Local Government Act 1993*, Council adopts the Fees and Charges Schedule for the 2023/24 financial year as detailed.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

The purpose of this report is to present Council with the Annual Plan and Budget Estimates for the 2023/24 financial year, which in turn will allow Council to set the rates and charges to apply for the period 1 July 2023 to 30 June 2024.

BACKGROUND

Council has developed the 2023/24 budget, capital works and fees and charges (as per attached documents) over the past few months, with Councillors participating through both virtual and online formats and in face to face workshops.

The draft Annual Plan and Budget Estimates information was circulated to Council's Audit Panel and was discussed at the Audit Panel meeting on 5 June 2023.

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

STATUTORY REQUIREMENTS

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

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

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

- (a) consistent with the strategic plan; and

- (b) include a statement of the manner in which the Council is to meet the goals and objectives of the strategic plan; and*
- (c) include a summary of the estimates adopted under section 82; and*
- (d) include a summary of the major strategies to be used in relation to the Council's public health goals and objectives.*

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

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

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

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

DISCUSSION

The Annual Plan is an important part of Council's reporting requirements. The Annual Plan includes the statutory reporting requirements which Council is to meet. It also outlines the Council's plans for the ensuing year which is then reported against in the Annual Report. This Annual Plan and Budget summary document continues to reflect a focus on strategic priorities rather than tasks or functions that could be considered core business-as-usual activities.

The 2023/24 Annual Plan and Budget Estimates have been prepared taking into consideration the current economic environment. The local Devonport and broader Tasmanian economy has been buoyant in the post COVID period influenced by external stimulus support, however rising interest rates are expected to restrict economic activity and Council continues to experience inflationary pressure in material and contract prices, and in some cases negative impacts from labour shortages.

Considering pressures expected by ratepayers the general rate increase has been limited to 3.9%, well below the Hobart CPI to March 2023 of 7.4% year-average and the Local Government cost index of 8.11%.

This budget aligns with the established parameters of the long-term financial management strategy, including net operating surplus', adequate asset renewal funding and rate increases not exceeding inflation.

Long term financial plan details included within the Financial Management Strategy will be updated later this year once end of year financial statements are finalised.

Operational Budget

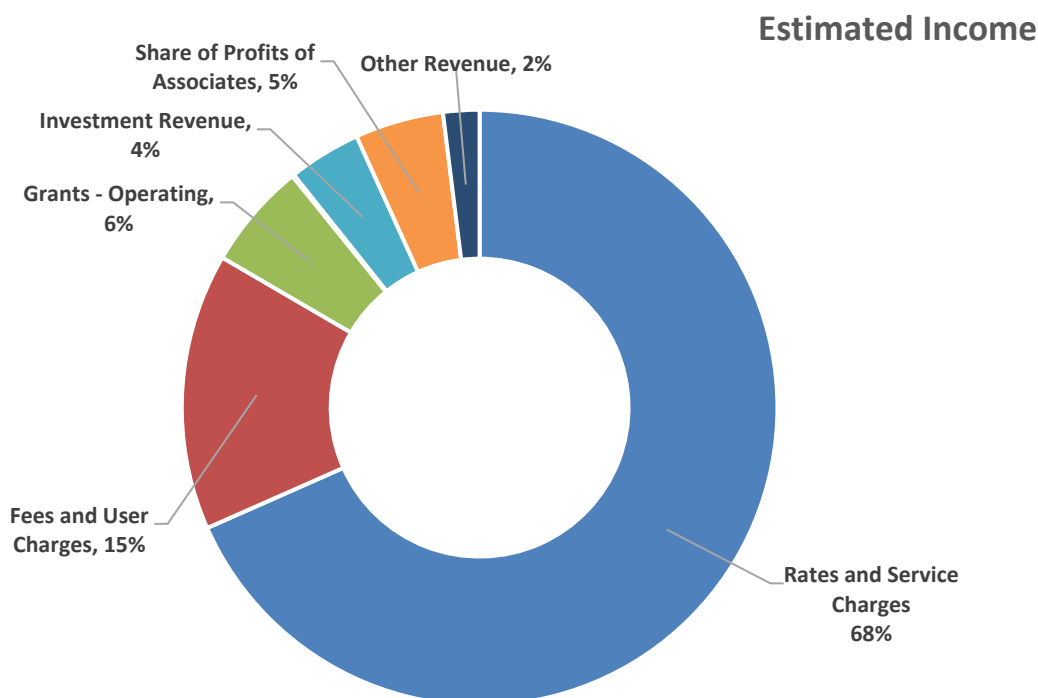
Current forecasts indicate Council's 2022/23 operating result is likely to exceed budget by more than \$1.5 million, due to higher returns from investments and above budget income generated from fees and user charges.

On the back of rate base growth and a forecast solid 2022/23 result, Council has again been able to produce a responsible 2023/24 budget. This ensures the continuity of important community services, the renewal and upgrading of community infrastructure and provides for further investment in new wealth generating capital projects, all whilst achieving sustainability targets in Council's 10-year financial strategy.

From an operating budget perspective, total income for 2023/24 is estimated at \$49.16 million with expenditure of \$46.03 million resulting in a budgeted nett operating surplus of \$3.1 million. It should be noted that the estimated income includes \$2.4 million for the anticipated share of profit in associates accounted for by the equity method from Council's 43.45% ownership in the Dulverton Regional Waste Management Authority (DRWMA). This return is unusually high due to capital expansion of the facility at Railton and whilst the income will be included in Council's financial statements it was considered prudent to balance the budget without reliance on this non-recurring event. Removal of the DRWMA profit share in its entirety results in an operating surplus of \$763,800.

Excluding the DRWMA return, income increases by \$2.9 million on the previous year, mostly due to increases in rates, fees, and user charges to cover higher costs.

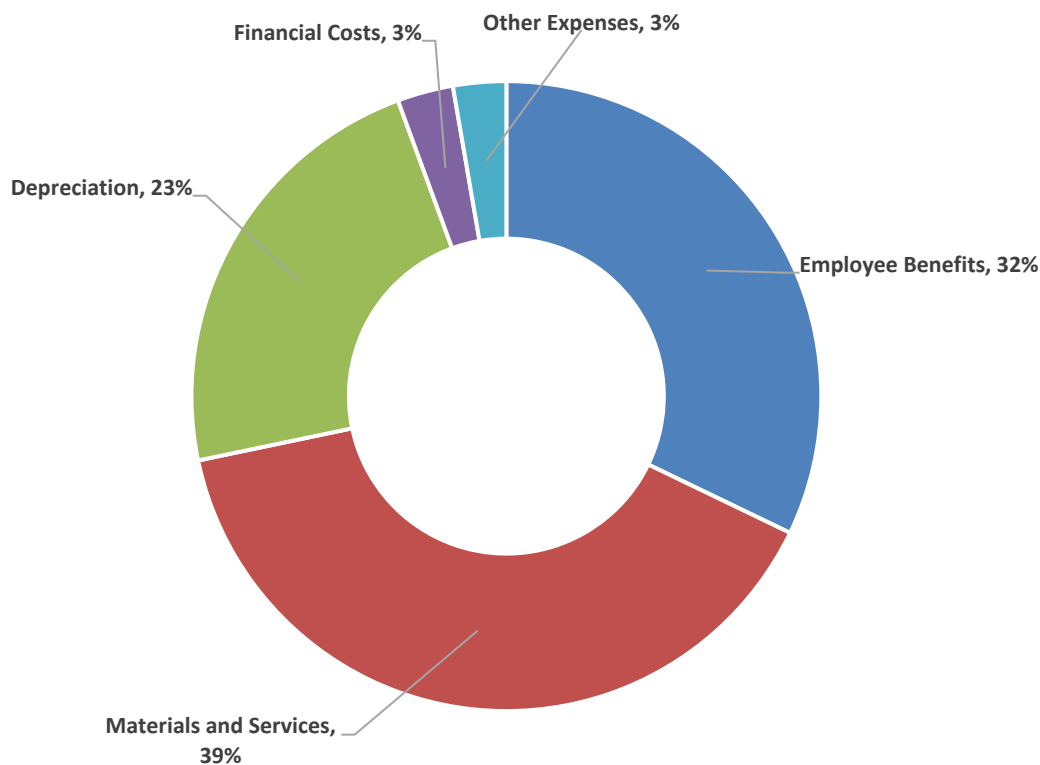
The following graph shows the various sources of Council revenue, the majority of which is derived from rates and service charges.



Overall expenditure is up \$2.1 million on the previous year's budget. Estimates of employee costs have increased due to an expected inflationary wage environment and additional resourcing for the operational works and recreational development areas. Materials and services have also increased due to inflationary pressure on essentials such as fuel, building materials and increasing contractor rates. Increases for levies and taxes relating to the State Government land tax, fire and waste levies have been offset by decreases in Council rates for Council owned properties due to the previous revaluation. The 2023/24 budgeted expenditure also includes additional funding to provide Council the opportunity to increase its support of major community events.

The following graph shows the make-up of estimated expenditure in percentage terms.

Estimated Expenditure

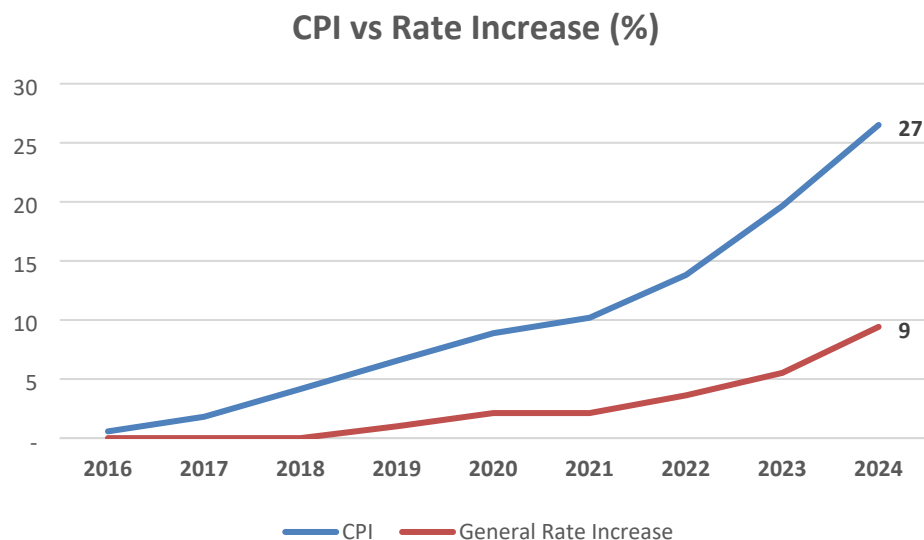


Rates

Properties in the municipality were subject to cyclical revaluation in 2022 which became effective for rating purposes in the 2022/23 financial year. As a result of this revaluation, most residential properties received significantly higher valuations. In accordance with the equity principle of taxation, ratepayers of greater wealth pay more tax than ratepayers of lesser wealth. As the residential and vacant land categories experienced stronger growth in comparison to primary production, commercial and industrial categories, the rate burden shifted proportionately towards the residential and vacant land use categories.

The general rate increase of 3.9%, is well below the Hobart CPI to March 2023 of 7.4% year-average and the Local Government cost index of 8.11%.

This modest increase continues Council's focus over the past decade to limit the rate burden, with general rate increases since 2016, totalling 9% in comparison to a 27% increase for Hobart CPI over the same period.



Recognising a revaluation does shift the rate burden between individual properties, Council last year introduced change caps of 15% for residential and primary production properties and 50% for vacant land to transition those properties which have increased significantly in relative value as a result of the revaluation. The change caps have been retained and applied again this year to limit rate increases on relevant properties.

The change cap applies to approximately 11% of properties in the 2023/24 financial year.

Fees & Charges

In July 2022 the State Government Waste Levy was introduced, starting at \$20 per tonne and increasing over subsequent years to \$60 per tonne. Council incurs this levy on each tonne of landfill waste, whether it be collected at kerbside or from Waste Transfer Station deliveries. As a result, this levy plus annual cost increases will be reflected in a \$15 increase to the residential waste management charge and also through increases to gate fees at the Transfer Station.

Understanding the importance of “Living Lightly on our Environment”, Council acknowledges the intent of the levy as a cost mechanism to drive change in disposal habits and have allocated \$500,000 in addition to the \$1,023,708 from previous allocations to make changes at the Spreyton Waste Transfer Station. This will assist in resource recovery and provide customers a cheaper alternative to landfill disposal.

Planning will continue during the year for the introduction of a Food Organics Garden Organics (FOGO) collection service currently anticipated to commence in 2024/25, providing more opportunities to avoid the disposal of waste in landfill.

Having not changed since the opening of the Multi-level CBD Carpark in 2018, a review of parking fees has occurred. Hourly rates on street meters and at grade carparks will increase from \$1.50 to \$1.80 per hour. The Multi-level Carpark will remain unchanged at \$2 per hour with the first 30 minutes free.

All remaining fees and charges have been reviewed and some fees have been increased to reflect increased cost of operations. Fees connected to ‘penalty units’ will be subject to any change by the State Government to the unit value.

Under the *Fire Services Act 1979*, Council is obligated to collect the Fire Service Levy as determined by the State Fire Commission. Advice has been received confirming that there will be an approximate 4.8% increase to the levy for 2023/24.

Capital Expenditure

The 2023/24 capital expenditure budget totals \$13.88 million in new projects, in addition to approximately \$14 million of works currently funded and underway. In total, Council is expecting to invest \$28 million into the local construction sector during the 2022/23 financial year.

This includes allocations towards the completion of several major multi-year new asset investments, such as the LIVING CITY Waterfront Precinct Sound and Light Show, State Vehicle Entry Point project and the Waste Transfer Station resource recovery project.

In addition, other capital funding will ensure important community assets are renewed and maintained with key projects for 2023/24 including:

- \$1.88 million - Kelcey Tier Road reconstruction and safety improvements
- \$1.0 million - Replace indoor pool tiles at the Aquatic Centre
- \$930,000 – Plant replacement
- \$800,000 – Torquay Road stormwater upgrade
- \$775,000 - Road resealing program
- \$500,000 - Mersey Bluff access road upgrade
- \$375,000 – paranaple arts centre – renew carpet and ceiling

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

Asset Class	Total Program Budget	Grants & Contributions	Renewal Funding Allocation	New Funding Allocation
Transport	\$ 6,175,000	\$ 2,958,106	\$ 4,422,500	\$ 1,752,500
Storm water	\$ 1,593,000		\$ 1,141,750	\$ 451,250
Buildings	\$ 3,166,000	\$ 506,733	\$ 1,981,000	\$ 1,185,000
Public Open Space	\$ 519,000		\$ 157,500	\$ 361,500
Plant & Fleet	\$ 1,308,400	\$ 257,000	\$ 1,308,400	\$ -
Equipment & IT	\$ 1,119,000		\$ 1,003,250	\$ 115,750
Total	\$ 13,880,400	\$ 3,721,839	\$ 10,014,400	\$ 3,866,000

* Note: Contributions to Plant & Fleet Asset Class represent forecast trade value on changeover assets.

Council's rolling 10-year capital expenditure program has also been updated as a result of the budget deliberations and the current version is provided for noting.

COMMUNITY ENGAGEMENT

Council invited the community to participate in the budget process with a report on the feedback received provided to Council during March. The suggestions and feedback has been considered by Council and relevant suggestions have been taken into account during the development of the budget and the 10 year forward capital works program.

A summary Annual Plan document in accordance with legislative requirements has been created to provide an overview of Council priorities for 2023/24. This Annual Plan should be read in conjunction with Council's Term Plan 2022-2026.

A dedicated budget page has been created on Council's website, with detailed financial reports made publicly available in a digital format containing a greater level of

information than what was traditionally released in the hardcopy Annual Plan and Budget document.

Council is hosting a 'Budget Breakfast' event on Tuesday 27 June 2023. This is a ticketed event, open to the general public.

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

Devonport City Council's 2023/24 Annual Plan and Budget aligns with Council's long-term financial parameters. Despite increasing costs and growing inflation, the budget predicts a sound operating and underlying surplus for 2023/24 as well as investment in new and existing assets.

The Annual Plan and Budget estimates are presented for adoption.

ATTACHMENTS

1. Annual Plan 2023 [**5.2.1** - 6 pages]
2. Service Unit Summary F Y 2024 [**5.2.2** - 13 pages]
3. Annual Plan Budget Reports for Council F Y 2024 [**5.2.3** - 4 pages]
4. Fees Charges F Y 2024 - FINAL [**5.2.4** - 9 pages]
5. Capital Works Program 2023-24 - Final [**5.2.5** - 6 pages]
6. 10 yr Capital Program 2024-33 - Final [**5.2.6** - 12 pages]

5.3 REVIEW OF STRATEGIC PLAN 2009-2030

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council endorse the revised Strategic Plan 2009-2030 and release the plan for a 30 day public consultation period.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.5 Maintain and monitor a fully integrated strategic and business planning process

SUMMARY

This report presents the revised Strategic Plan 2009-2030 for Council's noting, and for Council to consider releasing the Strategic Plan for a minimum 30 day public consultation period.

BACKGROUND

The Strategic Plan ("the Plan") outlines the desired objectives and goals of the community. The current Plan was originally adopted in 2009 and formally reviewed in April 2014 and April 2019.

As per section 68 of the *Local Government Act 1993* (the Act), Council is required when proposing a Strategic Plan (including reviews), to invite submissions in respect of the plan and consider submissions before adopting the plan. Council's Strategic Plan must be reviewed at least every four years in accordance with section 70E of the Act.

The current Strategic Plan has been reviewed and workshopped by Councillors since April 2023.

To assist the current Council achieve its objectives against the Strategic Plan, a 4 year Term Plan, to align with the term of the current Council, has been developed, which will further assist in guiding the direction and required actions to ensure the achievement of Council's strategic objectives as set out in the Strategic Plan.

STATUTORY REQUIREMENTS

In accordance with section 66 of the *Local Government Act 1993*, Council is required to prepare a strategic plan for the municipal area and updated it as required (s70E).

DISCUSSION

Council's Strategic Plan is comprised of two main parts:

1. Mission/Vision/Values
2. Goals/Outcomes/Strategies

The vision, mission and values articulate Council's purpose and objectives, and set the framework for Council. These statements help quantify the community's aspirations and establish important objectives for Council to focus its attention.

A review of the vision and mission concluded they both remained relevant and representative. The vision and mission statements were developed with significant community input, and as such reflect the community's direction for Devonport.

Until this review, Council had separate values at an operational level (staff) and Council level (community). It was considered appropriate to streamline these values by adopting Council's operational values as its strategic, community values. It was believed that these adopted values closely align with those held by the Council as an elected body, and the broader community, and that they will serve the community at a directional and aspirational level.

These values are:

- Champion and respect one another – We respect and cheer one another working together to serve the community;
- Dedication to our customers and community – We are driven to understand the needs of our customers so we can connect them to the right solutions; and
- Pioneer positive improvement – We chase innovation and improvement so we can get better.

The Strategic Goals and Outcomes remain largely unchanged following the review, as they are deemed to remain relevant and practical in assisting and directing Council meet its strategic objectives. The detailed Strategies previously included in the document have been removed as they are now captured in Council's Term Plan.

COMMUNITY ENGAGEMENT

Council is seeking community feedback on the revised Strategic Plan to ensure it continues to align with community sentiment, aspirations and priorities.

Council will undertake consultation via various means, including an online survey via Speak Up Devonport, Council's website, social media, media release, feedback forms (available in electronic or hard copy format), or via email or written correspondence addressed to Council.

FINANCIAL IMPLICATIONS

Operating Budget

The review process has been and will continue to be managed and undertaken by Council employees, and by using Council's own digital technology and systems. This includes the review of the Plan; the undertaking of community consultation; and graphic design of the Plan.

Capital Expenditure

There is not expected to be any impact on Council's capital budget as a result of the adoption of the updated Strategic Plan.

Long Term Financial Plan

Items in the Strategic Plan will have financial implications in the future but have been factored into the Long Term Financial Plan where they are known.

RISK IMPLICATIONS

- Legal Compliance
Council would be in breach of the *Local Government Act 1993* should it not meet its statutory requirements in regard to reviewing the Strategic Plan.

CONCLUSION

Council's reviewed Strategic Plan 2009-2030 has been updated to ensure it remains a representational and aspirational document that will continue to guide Council direction, activities, operations and services into the foreseeable future.

To assist with finalising the Strategic Plan, it is recommended that Council note and release the updated Strategic Plan 2009-2030 for public consultation, to gauge the thoughts of the Devonport community.

ATTACHMENTS

1. Strategic Plan 2009-2030 (2023 review) [**5.3.1** - 16 pages]

5.4 ADOPTION OF 2026 TERM PLAN

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council adopt the Devonport City Council Term Plan 2022-2026.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.5 Maintain and monitor a fully integrated strategic and business planning process

SUMMARY

This report is presented for Council to consider for adoption the inaugural Devonport City Council Term Plan 2022-2026 (copy attached), which has been developed over the last three months.

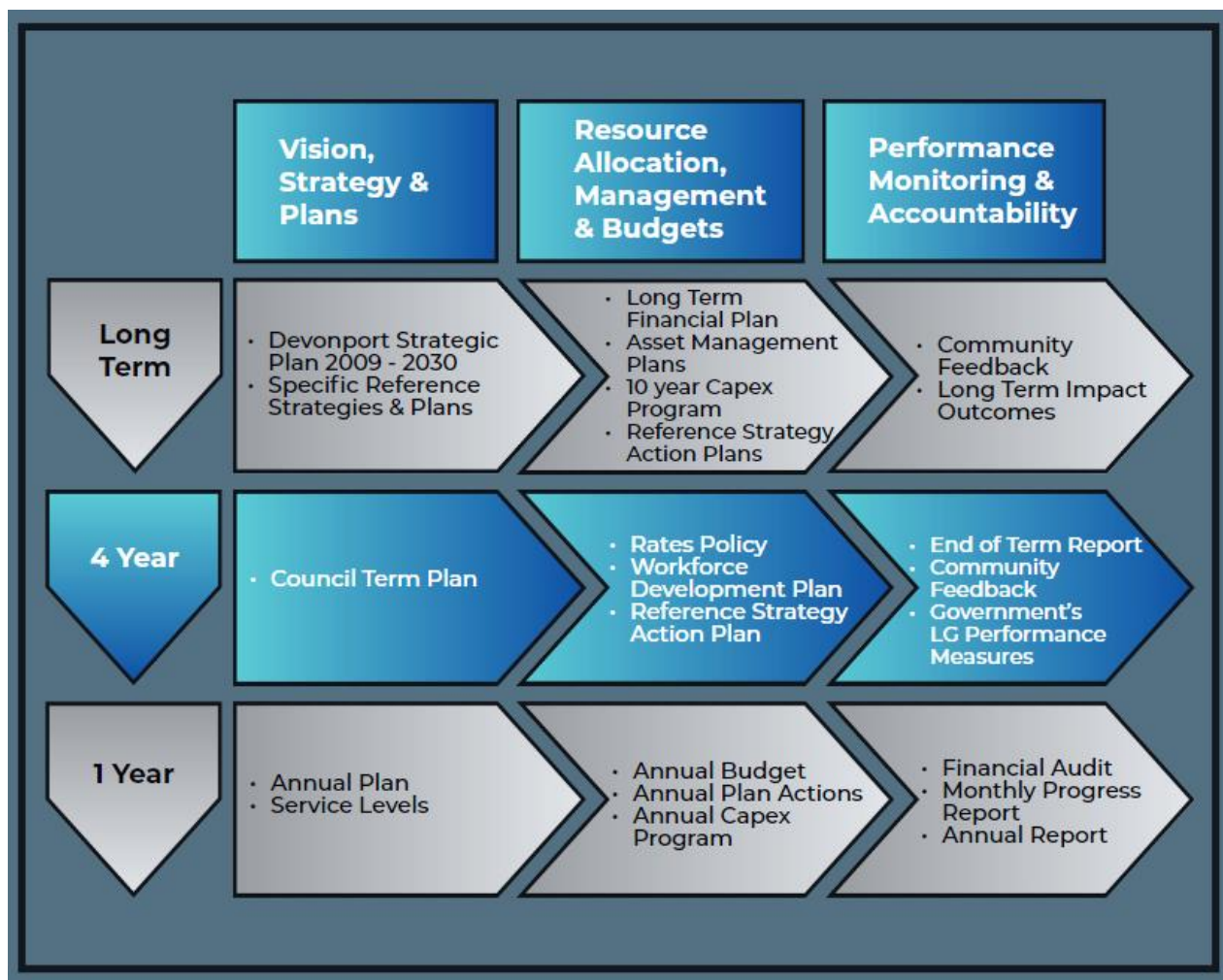
BACKGROUND

After having spent the first several months familiarising themselves with the business of the organisation, the newly elected Council have been focused in recent months on developing a vision for what they wish to achieve during this term of office (2022-2026).

As a result of this work, the inaugural Devonport City Council Term Plan 2022-2026 (the Term Plan) has been developed. The Term Plan outlines the Council's focus and priorities over the coming years in response to Council's Strategic Plan 2009-2030.

The Term Plan provides an important link between the 20-year horizon of the Strategic Plan and Council's annual action plans, ensuring clarity and focus across the four yearly horizon of the elected Councillors.

While the development of a plan to align with the four yearly Council terms is not common practice, nor mandated in Tasmania as it is in some mainland states, it is considered an important initiative that enhances Council's overall planning framework. The diagram below outlines the updated framework, highlighting the link between the planning timeframes, along with the connection between vision, resource allocation & monitoring.



STATUTORY REQUIREMENTS

There are currently no statutory requirements under Tasmanian legislation for Council to develop a Term Plan.

DISCUSSION

This Term Plan has been developed over the last three months, including several workshop sessions along with a full Saturday, attended by all Councillors and Executive Staff, dedicated to developing the Plan.

The Term Plan articulates the vision of the current elected Councillors, detailing their aspiration for Devonport by 2026.

OUR COUNCIL ASPIRATION FOR 2026

Our vision for 2026 is to continue strengthening Devonport as thriving and welcoming regional City.

We will continue championing Devonport as a leading Tasmanian city.

Strengthening our relationship with our councils in the northwest to promote regional development and growth, we will maintain our strong reputation with state and federal counterparts. Our skilled and professional Council workforce means we will continue to be an attractive partner and ready to help businesses thrive. Devonport will be positioned as a first-choice Tasmanian destination for conferences and events.

We continue building a strong commercial sector and a thriving local economy that offers ample employment opportunities.

Our focus on building strong relationships with investors, businesses, and operators will attract new investment and drive economic growth. We will seek to create an environment that strengthens opportunities for young people to pursue their chosen education and training pathways locally and opportunities to return

for employment.

We will have a strong focus on continuing to improve the quality of life for our community and particularly young people and families.

We will work to create a healthy and active community that offers ample opportunities for recreation and socialization. Our focus on sustainability, greater amenity and a City schedule of festivals and events will ensure that particularly young people and families experience Devonport as a place to stay or return to live.

We will strengthen Devonport as the destination to explore 'the wild side of Tasmania', known for our unique identity, rich history, and inviting community.

Our pride in being a gateway to Tasmania through trade and commerce and for visitors to our State via the Spirit will grow as we embrace our unique destination story. Our goal is to create an even more positive, welcoming and accommodating environment that encourages visitors to stay longer and contribute to the local economy.

The Term Plan aligns with the five goals of the Strategic Plan and outlines the priorities during the next four years under each of the goals.

The Term Plan has also been an opportunity to consider and document the responsibilities of Council in the context of Australia's three levels of government. It includes reference to Council's four different roles being Provider, Regulator, Facilitator and Advocate and captures the services or functions Devonport City Council provides under each of these roles.

As part of the development of this Term Plan, the elected Councillors recognised the importance of working together as a group to deliver the best outcomes for the community. While the Term Plan details the aspirations and priorities, the discussion included agreement that for the Plan to be delivered successfully, the way Councillors interacted and worked together was equally important.

As a result of these discussions a list of Team Commitments were agreed and will assist in peer-to-peer accountability across elected members. This is an initiative by a Council which welcomes robust debate and differing views, however, values a safe and respectful environment and aims to be a sector leader in this regard.

COMMUNITY ENGAGEMENT

The Term Plan has been developed to prioritise and sharpen the focus of the Strategic Plan 2009-2030. The Strategic Plan was developed with extensive consultation and engagement with the community and has been the subject of further community consultation when reviewed in 2014, 2019 and 2023.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of adopting this Plan. Priorities outlined in the Term Plan will need consideration as part of the annual budget process and appropriate funding allocations made accordingly.

RISK IMPLICATIONS

There are no direct risk implications as a result of this report. Council may face reputational risk if the Term Plan is adopted, and the priorities are not pursued or resourced appropriately.

CONCLUSION

In response to Council's Strategic Plan 2030, the attached Term Plan 2026 has been developed to guide the priorities during the term of this current Council.

ATTACHMENTS

1. Term Plan 2022-2026 [5.4.1 - 36 pages]

5.5 SMOKE-FREE AREA AT SPREYTON WASTE TRANSFER STATION

Author: **Kylie Lunson, Executive Manager**
Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the report of the Executive Manager regarding a smoke-free site at the Spreyton Waste Transfer Station and that Council undertake the process to declare the nominated area smoke-free.

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"

SUMMARY

To seek approval to commence the process to declare the Spreyton Transfer Station smoke-free.

BACKGROUND

The *Public Health Act 1997* (the *Act*) declares several public places smoke-free. These areas include bus and pedestrian malls, workplaces, children's playgrounds, sporting venues and swimming pools.

The *Act* was amended in 2015 to allow for other public areas, including public streets, to be declared smoke-free.

The smoke-free laws aim to:

- protect the health of non-smokers, including staff and patrons from exposure to environmental tobacco smoke;
- reduce uptake in young people by de-normalising smoking and making it less appealing; and
- support smokers by making it easier to quit and remain a non-smoker.

It has been identified that the Spreyton Waste Transfer Station should be declared smoke-free.

This report considers that suggestion to declare the Spreyton Waste Transfer Station smoke-free.

STATUTORY REQUIREMENTS

Part 4 of the *Public Health Act 1997* details the laws associated with tobacco and other smoking products and Division 1A of the *Act* details the requirements for smoke-free areas.

Section 67B(1) of the *Act* states:

A smoke-free area is any of the following:

- (a) *an enclosed public place;*
- (b) *an enclosed workplace;*

- (c) any area, including, but not limited to including, a public street, that is not within private premises and is designated by the occupier of the area as a smoke-free area;*
- (d) at an outdoor sporting venue during an organised sporting event being held at that venue, anywhere within 20 metres of –*
 - (i) any permanently or temporarily erected public seating; or*
 - (ii) any seating, marshalling area, warm-up area, podium or other part of the venue reserved for the use of competitors or officials; or*
 - (iii) any part of the venue used to conduct the actual organised sporting event;*
- (e) anywhere within 3 metres of an entrance to or exit from any non-domestic building or multiple-use building;*
- (f) anywhere within 10 metres of any air intake for ventilation equipment on or in a multiple-use building or a non-domestic building;*
- (g) anywhere within 10 metres of any play equipment erected at a children's playground in a public place;*
- (h) on a beach at which a surf-lifesaving organisation has temporarily erected a pair of red and yellow flags for the safety of beach users, the area "between the flags" (being the rectangular area bordered by the flags, the water's edge and the landward fringe of the beach);*
- (i) anywhere at a public swimming pool, including the curtilage of the public swimming pool;*
- (j) anywhere that the Director, by public notice, designates as a smoke-free area in connection with a public event or class of public events specified in that public notice;*
- (k) anywhere in an outdoor dining area;*
- (l) anywhere within 3 metres of an outdoor dining area that is not surrounded by a screen, or other barrier, that is at least 2.1 metres high and impervious to smoke;*
- (m) a public street that the regulations declare to be a pedestrian mall;*
- (n) a public street that the regulations declare to be a bus mall;*
- (o) anywhere within 3 metres of a bus shelter on a public street.*

DISCUSSION

The Act provides very specific requirements for smoke-free areas.

There are several locations at the Spreyton Waste Transfer Station where flammable items are stockpiled awaiting collection. These items include green waste, tyres, batteries, oil, cardboard and the general waste pit. The stockpiles of flammable items are located around the site making it difficult to supervise.

Previously there have been fires started on site. Although the reason the fires have started is unknown, it is possible that they may have started from a discarded cigarette butt.

Declaring the site smoke-free is one way to assist Council staff to manage the fire risks of the site.

To help manage the site, it is suggested that a 'designated smoking area' is established at the rear of the carpark adjacent to the main gates. Signage and 'butt-bins' will be installed to support the 'designated smoking area'.



Map of the Spreyton Waste Transfer Station indicating the 'designated smoking area' adjacent to the main gate and the Emergency Assembly Area



Photo of the area to be 'designated smoking area'

To assist with communication and management of the site, signage will be installed at the entrance to the site and additional signage will be installed at the ticket box where all vehicles report when entering the site.



Photo of the entrance to the site where signage will be installed



Photo of the ticket box where signage will be installed

To declare a public area smoke-free (over and above the minimum requirements of the Act) it is expected that Council undertake public consultation prior to making a declaration to the Director of Public Health. The declaration includes the undertaking of signage installation, enforcement of the smoke-free status and methods for public awareness.

COMMUNITY ENGAGEMENT

Community engagement has not been undertaken in relation to this report.

Should Council determine to progress the declaration of the Spreyton Waste Transfer Station to smoke-free, public consultation will need to be undertaken to communicate the proposal to the general public and commercial operators in the area. Consultation will be delivered through social media, print and an information sheet.

FINANCIAL IMPLICATIONS

Community engagement has not been undertaken in relation to this report.

Should Council determine to progress the declaration of the Spreyton Waste Transfer Station to smoke-free, public consultation will need to be undertaken to communicate the proposal to the general public and commercial operators in the area. Consultation will be delivered through social media, print and an information sheet.

RISK IMPLICATIONS

- Health and Safety
By declaring additional areas smoke-free, Council is contributing to the health and wellbeing of the community and the promotion of this public health initiative by the State Government.

- Legal Compliance
Defining an area smoke-free will require signage to ensure the requirements are communicated.
- Site Management
Flammable items are stored on site awaiting collection. Declaring the site smoke free will assist to manage the fire risk of the site.

CONCLUSION

The *Public Health Act 1997* sets out the requirements for smoke-free areas. Since the Spreyton Waste Transfer Station has operated there has been incidents of fires on site.

By designating smoke-free areas, Council will help to promote health and wellbeing in the community and help to manage the fire risks of the site.

ATTACHMENTS

Nil

5.6 STATE VEHICLE ENTRY POINT PROJECT AND NORTH-WEST GATEWAY IMPROVEMENTS PROJECT, PUBLIC ART COMMISSION

Author: **Geoff Dobson, Convention & Arts Centre Manager**

Endorser: **Matthew Skirving, Executive Manager**

RECOMMENDATION

That Council award the public art components of the State Vehicle Entry Point project and the North-West Gateway Improvements project to:

1. Alex Miles Pty Ltd for sites 1 – 5 and site 8;
and
2. Matt Calvert for sites 6 and 7.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.3 Develop and implement an integrated approach to public art

SUMMARY

This report provides Council with a summary of the public art commission process for the State Vehicle Entry Point project and the North-West Gateway Improvements project and provides Council with the recommendations as determined by the Devonport City Council Public Art Committee.

BACKGROUND

To assist deliver two major projects: the State Vehicle Entry Point project; and the North-West Gateway Improvements project, Council sought to engage suitably qualified and experienced artists for a series of public art commissions.

The State Vehicle Entry Point project aims to beautify the Tasmanian sea port entrance at East Devonport. The project recognises the importance of creating a welcoming experience for visitors and the intent is to encourage visitors to explore the North-West region of Tasmania.

The project incorporates streetscape improvements, including landscaping, and general aesthetic improvements along the vehicle route from the Spirit of Tasmania terminal to the Bass Highway.

The North-West Gateway Improvements project aims to define the city entrance points by creating iconic, welcoming, distinctive, and memorable city entrance markers at the eastern, western, and southern entry points to the city.

Council identified benefits in coordinating the public art commissions of both projects simultaneously, as opposed to running two separate processes, identifying eight locations (sites) of varying scale and context across the two projects:

- Site 1 – Tarleton Street, East Devonport
- Site 2 – Tarleton Street/Bass Highway underpass
- Site 3 – Formby Road/Bass Highway underpass

- Site 4 – John and Wright Street intersection
- Site 5 – Tarleton and Wright Street intersection
- Site 6 – Eastern City Entrance, Bass Highway, East Devonport
- Site 7 – Western City Entrance, Bass Highway, Don
- Site 8 – Southern City Entrance, Mersey Main Road, Spreyton

Council released an expression of interest on 5 December 2022. The EOI invited prospective artists, or collaborations of artists and fabricators, to respond to the aims of the two projects. This process is in keeping with Devonport City Council's Public Art Policy.

Council made artists aware that it would favour outcomes that could intuitively convey characteristics that express Devonport's unique identity and significance.

The EOI process closed on 30 January 2023. Council received nineteen submissions. To assess the submissions Council established a project team, comprising of the Public Art Committee and internal officers directly associated with the projects. The project team assessed each submission against Council's Public Art Policy and criteria specific to the two projects.

The project team resolved to shortlist four candidates for further development. The four candidates demonstrated outstanding potential and an acute understanding of the aims of the projects. The four shortlisted candidates were:

- Alex Miles Pty. Ltd.
- Edge Atelier
- Futago
- Matt Calvert

Council requested each of the four candidates provide final concepts by 12 May 2023. During this phase of the process, candidates undertook site visits and had the opportunity to discuss the possibilities and potential barriers of each site with Council.

Council published content from the four shortlisted candidates on its website between 18 May and 31 May 2023. The 'Have Your Say' function of the website was enabled for the community to comment and provide feedback on each submission.

The project team considered the feedback from the community during the final assessment of the four shortlisted candidates on 31 May. The project team assessed the final four submissions on the following criteria:

Project Alignment	The concept/s addresses the aims of the State Vehicle Entry Point project and the North-West Gateway Improvement Project: A) Does the concept express Devonport's unique identity B) Does the concept lead/encourage visitors into the city C) Does the concept invoke pride in Devonport
Artistic Merit	The concept/s demonstrate outstanding artistic merit: A) Does the concept have potential impact B) Does the concept possess aesthetic quality C) Does the concept have the potential to strengthen community through art
Program	Realistic potential for completion: A) Ability to meet project timeframes B) Appropriate budgeting C) Achievable
Maintenance	Low ongoing maintenance over the life span of the artwork

The project team discussed the merits, strengths, and potential weaknesses of each submission throughout the assessment process.

Each submission was discussed for its suitability and alignment to the Devonport City Council Public Art Strategy 2022 – 2025:

Vision: To be a leading regional city for diverse and original public art that expresses Devonport's individuality

The project team discussed the benefits of engaging multiple candidates, resolving that the recommendations to Council, contained within this report, would be separated into three commissions: firstly, the eastern and western highway sites (site 6 & 7); secondly, the Spreyton, southern city entrance (site 8); and thirdly, the East Devonport to Formby Road, city entrance journey (sites 1-5).

The Committee acknowledged that the local First Nations community should be engaged in consultation regarding the finalisation of concepts.

STATUTORY REQUIREMENTS

There are no statutory requirements associated with the content of this report, however, Council will be required to comply with all relevant statutory requirements and seek agreement from the State Government to implement the recommendations contained in this report.

The multi-stage selection process has been completed in accordance with Council's Code of Tenders and Contracts, with the final assessment of submissions completed by Council's Public Art Committee.

DISCUSSION

The project team, comprising of the Public Art Committee and Council officers associated with the projects, make the following recommendations to Council regarding the State Vehicle Entry Point project and the North-West Gateway Improvements project's public art components:

SITE 1 – 5: EAST DEVONPORT TO FORMBY ROAD, CITY ENTRANCE JOURNEY

The project team unanimously recommends Alex Miles Pty Ltd, as the preferred candidate for sites 1 - 5.

Miles' submission expressed a genuine approach. The project team commented that the references to natural fauna, flora and geological features of Devonport and the city's surroundings allude to a strong relationship to place. The tall, pole-like elements detailed in Miles' submission possess a subtle relationship to boat masts, moorings, and navigational markers associated with views of the Mersey River. In addition, the elements have a relationship to the trunks of local melaleuca trees.

The project team agreed that the cohesiveness and originality of Miles' concepts for site 1 through to site 5 provided a rewarding and engaging approach for vehicle travellers on the East Devonport to Formby Road city entrance journey. The project team specifically noted Miles' concept for site 4 (intersection of John and Wright Street) as being well resolved and appropriate as a leading off point for visitors arriving via the port precinct.

The overall concept evokes a powerful sense of Devonport, and its connection to the Mersey River and natural environment. The project team commended Miles' approach to developing a palette of textures and materials through community development practices.

Furthermore, the project team recommends consultation with Miles regarding the final placement of elements to deliver the greatest impact, appreciating that certain sites may

be scaled up or down. The project team also acknowledges the concepts for the two underpass sites will require State Government consultation and consent, which is likely to lead to an adaptation of the concepts as presented.



Concepts as provided by Alex Miles Pty Ltd

SITE 6 & 7: EASTERN AND WESTERN HIGHWAY ENTRY MARKERS

The project team recommends Matt Calvert as the preferred candidate for the eastern and western highway Entry Markers, site 6 and 7.

As per Calvert's submission, the project team recommends a single, large element located at site 6, the eastern city entrance site adjacent Bass Highway in East Devonport, and a "forest" of multiple, medium-to-large elements at the western city entrance at Don, adjacent to the Bass Highway.

Calvert's submission expressed a strong understanding of place, specifically Devonport's relationship with the Mersey River. The elements presented by Calvert reference nautical themes, including navigational markers, channel markers and mooring posts present in the Mersey River. In addition, the shape of the elements represents directional signs, proving assurance you are arriving to, and leaving a destination.

Calvert has incorporated elements that reference the red and white of the Devonport's iconic Light House and the Spirit of Tasmania. Furthermore, the timber embossed concrete elements reference the original timber Victoria Bridge, 1901-1924.

The elements atop the main structures, made from laminated recycled glass, provide a blue-green 'flickering' effect that has a relationship with the river and ocean. The internal lighting mechanism of the glass elements will emphasise the relationship with water, and equally has reference to a lighthouse and/or navigation markers. The lighting effect during low light, throughout the evening, and nighttime will produce an iconic reference point for entering and departing Devonport.

The project team commends Calvert for devising a concept that is easily seen and recalled when passing at highway speed, is minimalist in colour and material, yet deeply complex and intuitively connected to Devonport and the city's relationship with the Mersey River and Bass Strait.

The project team agreed there would be benefit in commissioning an additional, small element located close to site 4, or within the new terminal precinct. This would provide a link with the larger works situated adjacent to the Bass Highway.



Concepts as provided by Matt Calvert

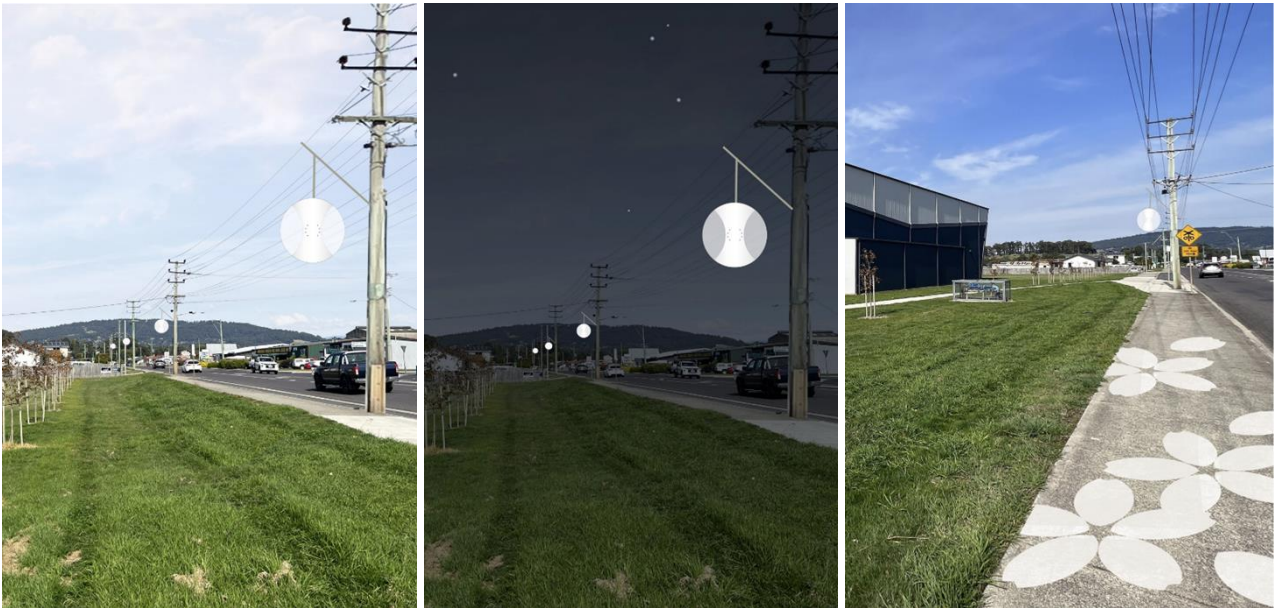
SITE 8: SPREYTON SOUTHERN ENTRY POINT

The project team recommends Alex Miles Pty Ltd as the preferred candidate for the Spreyton, southern city entry point.

The concept, Apple Moon Lanterns and Apple Blossom pavement stencils, is relevant to the local area and simultaneously references the past and current orchid industry. The concept relates to agritourism, and more subtly references the seasonality of the agricultural sector.

The project team appreciated that the southern entry point to the city presents a 'local' resonance that Miles has been able to articulate in the concept and that the concept is authentic to region.

The project team notes that the concept as presented is scalable, and potentially to be expanded or installed at other locations. The project team also acknowledge the concept would require agreement from Tas Networks, or an alternative mounting mechanism.



Concepts as provided by Alex Miles Pty Ltd

COMMUNITY ENGAGEMENT

Council published material from the four shortlisted candidates on its website. The community were able to comment on the submissions using the 'Have Your Say' function between 18 - 31 May. Council received 107 responses. The project team considered the results as part of the assessment process.

FINANCIAL IMPLICATIONS

Both the State Vehicle Entry Point project and the North-West Gateway Improvements project are fully grant funded. The Federal Government has committed \$3M for the State Vehicle Entry Point Project of which \$420,000 will be required to be allocated to public art. The State Government has committed \$1.25M for the North-West Gateway Improvement Project, of which \$850,000 has been allocated to public art component.

The initial project brief, provided as part of the expression of interest process, detailed the budget allocation for each site. The budget allocation included two schedules: firstly, a schedule for artist fees, development, and construction; and secondly, a schedule for project management and delivery costs. The required budget allocation for the recommended selections is available from the respective grant funding agreements.

RISK IMPLICATIONS

Council will collaborate closely with all parties to mitigate health and safety risks, following existing contractor engagement procedures. Detailed risk assessment and approval processes are required to confirm State Growth consent for the artworks to be located in close proximity to major road and highways under their control and management.

CONCLUSION

Council sought to undertake a public art commissioning process to assist deliver the State Vehicle Entry Point project and the North-West Gateway Improvements project.

Council issued an expression of interest seeking suitably qualified and experienced artists and collaborators. From that expression of interest process, four candidates were shortlisted for further concept development.

A project team, comprising of the Public Art Committee and Council officers associated with the projects, undertook a thorough and rigorous assessment of each submission based on the criteria detailed in this report.

In keeping with Council's Public Art Policy, this report provides Council with the recommendations as determined by the Public Art Committee and project team for the awarding of public commissions associated with the State Vehicle Entry Point project and the North-West Gateway Improvements project.

ATTACHMENTS

Nil

5.7 SPORTING INFRASTRUCTURE PRIORITY INVESTMENTS

Author: **Matthew Skirving, Executive Manager**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council resolve to:

1. Progress the *Devonport Indoor Sports Complex* and the *Valley Road Development* as the two major funding priorities from the Sports Infrastructure Master Plan;
2. Provide in principle support for the funding request from the Devonport City Soccer Club Inc. towards the Valley Road Development, subject to the resolution of the funding model for both projects;
3. Commence negotiations with the Australian Government in relation to re-allocation of existing grant funding commitments to Council, towards the Valley Road Development;
4. Adopt the Devonport Oval precinct as the preferred location for the *Devonport Indoor Sports Complex*, maximising co-location, and multiuse opportunities with existing Oval users; and
5. Commence engagement with the associated clubs and key stakeholders to support advocacy and identification of funding opportunities to enable progression of both projects.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report considers the prioritisation and funding requirements of two major development projects associated with Council's Sports Infrastructure Master Plan, and a request from the Devonport City Soccer Club Inc. for funding support from Council.

BACKGROUND

In December 2021, Council adopted the Devonport Sports Infrastructure Master Plan 2035 (Min No. 21/270 refers) following a period of detailed analysis and consultation to determine existing utilisation and demand for sporting facilities within the municipality. The Plan provides a framework to develop public sports infrastructure that supports wider community participation in sport, health and wellbeing activities to 2035 and beyond.

The Master Plan vision is:

"A healthy and active city with high quality accessible and affordable sports infrastructure delivering community-wide social, economic, and environmental benefits".

The objectives of the Master Plan are to:

- Improve community health and wellbeing through fostering sport participation via the provision of accessible, inclusive facilities.

- Consider the wider social, economic, and environmental impacts and benefits in precinct and facility planning.
- Create spaces that can be used for community activities that complement sport and recreation.
- Enhance the quality of facilities to meet infrastructure and sporting standards.
- Identify and prioritise facility improvements to inform future precinct planning.
- Foster partnerships for capital development and management of facilities.

The Plan recommends that future development and investment by Council should be prioritised based on three Guiding Principles:

1. Maximise Carrying Capacity - This means increasing facility use at all available times and efficiently utilising spaces/land available.
2. Multi-use Facilities - This means developing accessible, inclusive, multi-use facilities for sport, recreation, and broader community activities.
3. Strategic Investment - This means working in partnership to create financially viable facilities that deliver positive social, environmental, and economic outcomes.

At its meeting on 22 August 2022, Council committed to the development of a new, multi-court indoor recreation centre as the highest priority project from the Sports Infrastructure Masterplan (Resolution 22/185). Council has since appointed a principal design consultant to progress the development of the project, and complete site feasibility assessments to inform the final site selection for this project.

The Devonport City Soccer Club Inc. have presented a request for funding support from Council towards a major redevelopment of off-field grandstand, corporate, player and official changerooms, and patron amenities at the Valley Road facility. The Club have requested Council provide a \$1.5million contribution and allocate \$3 million from existing Federal Government Grant commitments towards the Valley Road project.

STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

DISCUSSION

The development of expanded "High-ball" indoor stadium capacity for the Devonport community was identified as the highest priority project from the Master Plan and, following initial planning and analysis undertaken of the project requirements and opportunities, Council resolved to commence the process to select and engage a Principal Consultant to progress this important project (Resolution 22/185).

The Project consists of two components:

1. Community-use "high ball" court infrastructure, with supporting amenities, club, social, and administrative facilities.
2. Regional scale "show court" and major event infrastructure, with supporting spectator seating and associated amenities.

This structure recognises that Council has committed to the provision of community-use facilities as its primary responsibility, with additional external funding support required to incorporate project elements servicing broader regional needs.

Council has appointed a Principal Design Consultant for the project, and have commenced functional and schematic design, along with site feasibility assessments of potential development locations for the new facility.

In addition to the consultant design works currently underway, Council Officers have also completed an assessment of potential development sites against 21 criteria, grouped into five thematic areas:

1. Site Characteristics
2. Location Characteristics
3. Site Connectivity & Access
4. Site Development Impacts
5. Strategic Alignment

Table 1 below summarises the assessment of four existing, Council-owned precincts, considered by the assessment process.

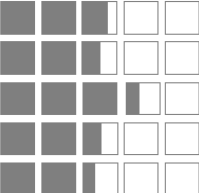
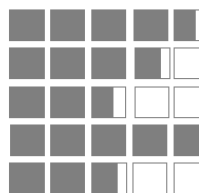
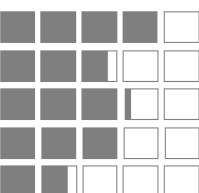
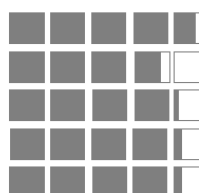
<div>Site</div> <div>Location</div> <div>Connectivity</div> <div>Impacts</div> <div>Alignment</div>		FORBES STREET All Criteria: 115 Key Criteria: 24	<div>Site</div> <div>Location</div> <div>Connectivity</div> <div>Impacts</div> <div>Alignment</div>		EAST DEVONPORT All Criteria: 148 Key Criteria: 27
<div>Site</div> <div>Location</div> <div>Connectivity</div> <div>Impacts</div> <div>Alignment</div>		SPREYTON All Criteria: 125 Key Criteria: 30	<div>Site</div> <div>Location</div> <div>Connectivity</div> <div>Impacts</div> <div>Alignment</div>		DEVONPORT OVAL All Criteria: 177 Key Criteria: 37

Table 1: Site Criteria Assessment Summary:

Outcomes of the criteria-based site evaluation and initial schematic design investigations for the new facility were presented to the Council Workshop in May 2023, with the Devonport Oval Precinct being assessed as the most suitable location, and the East Devonport Recreation Centre Precinct also being identified as a potentially suitable site.

Table 2 below, outlines the full criteria detail and assessment of the two identified candidate sites. Highlighted criteria (*) represent the “Key Criteria” noted in the scoring assessment in Table 1.

1. Site Characteristics		Dev. Oval	EDRC
Site Ownership	Is the site owned by Council, or does it need to be acquired to support this development?	10	10
*Site Area	Does the site have sufficient space to accommodate the required development footprint?	10	10
Development capacity	Is the composition and orientation of the available site area complimentary to the development?	9	10
Development Potential	Do the site attributes (gradient, topography, infrastructure) support cost-effective construction?	9	8
Future growth	Does the site have sufficient capacity to accommodate future growth?	8	8
2. Location Characteristics			

Planning controls	Is the site appropriately zoned, or would re-zoning or amendment be required?	10	10
Adjacent context	What is the scale of adjacent/existing development on the site and does it support the proposed development?	8	6
*Sensitive uses	Are there any sensitive uses directly adjacent to the site, such as residential development?	4	6
Buffers and setbacks	Are there any buffers between the development footprint and any adjacent sensitive uses?	8	8
3. Connectivity			
Active transport access	Is the site close to Council's path and trail network to support active transport access?	9	2
Public transport access	How well is the site connected to the existing public transport network?	10	6
*Road network connectivity	Is the site appropriately located in relation to the Devonport Road Network Hierarchy?	7	4
Known Access Constraints	Are there any documented connectivity or congestion issues of relevance to the proposed development site?	8	4
Off-street Parking Capacity	Does the site have sufficient capacity to accommodate the necessary parking requirements?	9	8
On-street Parking Capacity	Is the local road network able to provide on-street parking capacity?	8	8
4. Site Impacts			
Existing use	Does the proposed development footprint impact any existing use (excluding POS provision)?	9	10
Adjacent impacts	Does the proposed development footprint have significant impact on existing adjacent use (excluding POS provision)?	8	10
5. Strategic Alignment			
*Council Objectives	Does development at this location support the strategic objectives of the SIMP?	8	7
*Key User group objectives	How strongly aligned are the key stakeholders to this site?	8	0
Existing user group objectives	How supportive are the other existing user groups of additional development at this site?	10	8
Complimentary Opportunities	How well located is this site to other sporting, recreation or community use facilities?	8	5

Table 2: Site Assessment Evaluation Scoring

Further engagement has subsequently been undertaken with the primary user groups associated with the new facility, being the Devon Netball Association and the Devonport Warriors Basketball Club. The Clubs were asked to provide further detail in relation to their preferred site locations for the new facility, including their operational considerations, identified co-locations opportunities and challenges, and impacts and opportunities for current and future club and code participation.

Both Clubs have re-stated their support for the Devonport Oval Precinct as being their preferred location for the new facility.

Existing clubs already located within this Precinct have also confirmed their strong support for this outcome, recognising the existing aging infrastructure along with the opportunities that co-location and the multiuse of shared facilities can provide.

Council Officers have also recently consulted with representatives of the East Devonport Football Club, and advocates for the further development of the East Devonport Recreation Centre precinct. Representatives were provided with an overview of the current site assessment process, including advice on the feedback from the key stakeholder clubs (Devon Netball, and Devonport Warriors Basketball) associated with the new recreational centre development, which was acknowledged and accepted by attendees at the meeting. It has been agreed that further engagement will be undertaken with other existing sporting and community groups within East Devonport in relation to the future development options for the EDRC site.

On this basis, it is recommended that the Devonport Oval Precinct be adopted as Council's preferred location for the new Indoor Sports Complex, and that project development activities be progressed on this basis.

Valley Road Development Proposal

Prior to the commencement of the Sports Infrastructure Master Plan process, Council have supported the Devonport City Soccer Club in relation to future development planning for the Valley Road Centre. Development plans and priorities for the site have evolved over several iterations, including planning to support a bid for the Valley Road site to be selected as a pre-tournament training camp for the 2023 FIFA Women's World Cup, being co-hosted in Australia and New Zealand. Whilst this bid was ultimately unsuccessful, the Club was able to secure \$3 million in grant funding from the State Government to support upgrade activities at the Valley Road site.

The Club has progressed development plans for the site, that incorporates significant enhancement and expansion to the off-field amenities at the Centre, along with enhancements to ground lighting for the existing turf pitch.

A new two storey grandstand facility located at the western end of the current site, incorporating:

- Player and official facilities.
- Gymnasium.
- Additional Patron seating (814 additional seats, 950 total)
- Corporate and media viewing areas.
- Function and social facilities.

The broader project scope also incorporates ground lighting upgrades and reconfiguration of on-site car parking (63 total), of which some elements have been substantially completed. The full scope of the project is represented by the approved Development Permit PA2021.0195.

The remaining project scope is estimated by the Club to require an additional \$4.5million in funding to complete and has requested Council support this funding requirement via a cash-grant and reallocation of existing grant funding commitments from the Australian Government.

Funding Request

Apart from the main turf pitch and associated infrastructure, the majority of assets at the Valley Road facility are not owned or maintained by Council. This same arrangement is proposed to remain in relation to the proposed new grandstand facility and accepted by both parties. However, this does introduce some complexity in relation to the requested funding allocations. The Club have requested that Council fund the current project shortfall via:

- Re-allocation of \$3 million from existing Australian Government grant commitments to the Devonport city to, to the Devonport City Soccer Club Inc.

- A direct funding contribution of \$1.5million from the Devonport City Council to the Devonport City Soccer Club Inc.

Re-allocation of the existing grant commitment will require negotiation and approval of this request with the Australian Government. The Devonport City Soccer Club Inc. are not currently eligible to participate in the grant funding program Council are participating in.

Typically, a requirement of Federal grant-funding programs is that funds are expended on assets owned by the funding recipient, and on projects managed directly by them (not granted to a third-party). Should Council resolve to support this request, it is recommended that Council immediately commence discussions with the Australian Government to reallocate the requested grant funding directly to the Club.

Similarly, the request for a direct cash grant of \$1.5million requires close consideration by Council. These funds cannot be allocated from Council's capital works program (as they will not be expended on assets owned by Council) and will therefore need to be funded from Council's annual operational budget. Given the quantum of the funding request, this would likely need to be staged across multiple financial years to minimise the impact on Council's financial bottom line.

Should Council resolve to support this element of the funding request, it is recommended that Council commence negotiations with the Club in relation to the staging of these payment(s), and also commence preparation of a formal agreement with the Club, outlining the requirements and obligations Council may place on the funding allocation.

This agreement would be subject to the future consideration of Council.

Priority Projects Funding

It is recommended that any allocation towards the Valley Road project be contingent on the resolution of the overall funding arrangements for both projects outlined in this report.

This includes engagement with other potential project partners to secure sufficient funds to realise both stages of the *Devonport Indoor Sport Complex* project. Releasing or re-allocating significant grant funds prior to resolving an overall funding approach places at risk the successful realisation of the highest priority project from the SIMP (the new Indoor Recreation Centre).

Formulating a united vision for the realisation of these two significant investments for our City and region, and meeting the current and future needs of the highest participation sporting codes and clubs within the City, presents a compelling opportunity for other funding partners to engage with, and support.

COMMUNITY ENGAGEMENT

The priority projects contained in the Sports Infrastructure Master Plan have been formulated based on the information and feedback provided by local sports clubs, state sporting organisations and facility users, and assessed by the Working Group. Feedback from the broader community was sought through an online and print survey conducted in late 2021 which attracted 250 responses.

Council Officers have undertaken direct engagement with the key user groups associated with the proposed new Indoor Recreation Centre Development, primarily consisting of the Devon Netball Association, the Devonport Warriors Basketball Club, and their respective state-level associations. Both local clubs have identified the Devonport Oval as their preferred location for the new co-located facility. Existing precinct user groups have also confirmed their support for this outcome with Council.

FINANCIAL IMPLICATIONS

Council has received a \$25 million funding commitment from the Australian Government towards the delivery of SIMP priority projects. Council has received formal confirmation of the funding commitment, however a Deed Agreement is yet to be finalised with the Australian Government.

Allocation of funding from this existing commitment towards the Valley Road project will require re-negotiation with the Australian Government, based on the proposed asset ownership and project delivery model proposed for this project (which cannot be accommodated by the current grant program parameters).

Allocation of any direct funding by Council towards the project will require an allocation from Council's annual operational budget, and likely need to be staged over several financial years, given the quantum of the funding request.

Council will need to secure additional grant and/or external funding to support the delivery of both priority projects discussed in this report.

Once a suitable funding model or structure is established to deliver the projects, this along with an update of Council's long term financial plan will be presented to Council for consideration.

RISK IMPLICATIONS

- Risk Management Practices
Council will need to formulate a suitable form of agreement in relation to the requirements and obligations associated with any direct funding allocation towards the Valley Road Project.

CONCLUSION

The priority projects identified in this report present Council with the opportunity to realise major components of its Sports Infrastructure Master Plan priorities.

Locating the new Devonport Indoor Sport Complex within the existing sporting and recreation precinct at the Devonport Oval, strongly aligns with the principles of the Master Plan and is also supported by the key stakeholder group and existing clubs within the Precinct. The overall project scope offers the potential to not only support current and future community capacity requirements, but also position Devonport as the preeminent venue for major sporting carnival and event activities within the region.

Similarly, the Valley Road Development will position this facility as the premier, dedicated rectangular venue in the north of the State, with the capacity to host premier statewide and elite-level competition.

It is recommended that Council lead the formulation of a compelling and united proposal to secure the necessary funding to realise both project in full.

ATTACHMENTS

Nil

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That the report advising of Workshop 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
29 May 2023	Term priorities	Discussion on Term Plan and Team Commitments
	Budget	Discussion of Council's Budget
5 June 2023	WXNW	Introduction and discussion of role in tourism in region and new products and services
	State Vehicle Entry Point and City Entrance Markers: Public Art Commission	Presentation of Public Art Committee's recommendations on four shortlisted proposals
	Sports Infrastructure Funding Priorities	Discussion of future sporting infrastructure priorities
	Indie School	Update on school
	Budget	Discussion of Council's Budget

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 Alison Jarman attended the following meetings and functions between 17 May and 20 June 2023:

- Met with General Manager & Council staff as required
- Met with Central Coast Council Mayor Cheryl Fuller and Burnie Mayor Teeny Brumby
- Radio interviews, including Sea FM, 7AD & ABC Radio
- Met with Principals of Hillcrest Primary School, Reece High School & Devonport High School
- Met with Councillors as required
- With the General Manager, met with Ben Wallis from You Who Group
- Attended Heritage Trail Walk Opening Launch with Premier Jeremy Rockliff, MP
- Attended Jobs Hub West North West Event
- Spoke at the Living Well Strategy Launch - Devonport Living Well: Health and Wellbeing Strategy 'Soft' Launch - Clare Bowditch Event
- With the General Manager, met with Gerald Monson, GM of Latrobe and Kentish Councils & Latrobe Mayor
- Attended the Mersey Community Care Annual Volunteer Luncheon
- Meet with Dave Race
- Attended the Devon Netball Afternoon Tea
- DCCI Meet and Greet each Tuesday morning with John Alexiou
- Met with the owners of Devonport Tenpin Bowl
- Participated in National Simultaneous Storytime
- Met with Lynn Laycock and Cr Janene Wilczynski
- Visited Nixon Street Primary School on Local Government
- Presented Volunteer Certificates to Mersey SES Unit
- Attended Trauma Awareness Network Australia (TANA) Online Meeting
- Met with Michael Lizotte from Trauma Awareness Network Australia (TANA)
- With Executive Manager Matthew Skirving, attended a meeting with the Tasmanian Symphony Orchestra
- Attended online sessions with Mayors and Deputy Mayors DPAC

- Met with Deputy Mayor Giovanna Simpson from Burnie City Council
- Attended DCCI State Budget Dinner
- Attended Rotary Club Devonport North – Changeover Dinner
- Attended Devonport City Council Audit Panel meeting
- With the General Manager, met with a reporter from The Advocate
- Attended the Cradle Coast Authority Representatives Meeting
- Officiated at a Citizenship Ceremony

*Please note the Mayor was on leave from Friday, 9 June until Sunday, 18 June 2023.

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That the General Manager's Report 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 May and 20 June 2023. 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

COUNCIL MANAGEMENT

1. Attended and participated in regular scheduled internal staff and management meetings.
2. Attended Workshops, Planning Authority Committee Meetings and Council Meetings as required.
3. Attended the Council Audit Panel meeting as required under the terms of reference.
4. Met with potential developers in regard to further development of Councils Fenton Way CBD site.
5. Attended a 2-day LGAT General Managers Workshop. The Workshop was attended by General Managers from 28 of Tasmania's 29 Councils with a large part of the Workshop committed to local government reform.
6. Attended a meeting of the Hillcrest Affected Area Recovery Committee.
7. Met with Drew Smith from the Devonport Strikers Soccer Club to provide an update and discuss the Club's request for funding from Council.
8. Met with the developer of the Stony Rise Village development to commence discussion regarding the development condition requiring an upgrade to the Stony Rise Road/ Friend Street intersection.

COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

1. Along with the Mayor, met with Devonport Airport Manager Dave Race for an update on future plans for the airport and other general operational matters.
2. Met with consultants who have prepared the Draft North West Hospitals Master Plan for a briefing on the Plan which has been released for public comment.

NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

1. Attended the Cradle Coast General Managers meeting.
2. As a Board Director attended a meeting of Local Government Professionals Tasmania.
3. Attended a meeting of the Cradle Coast Waste Management Group. The General Manager has been appointed as Chair of this Group following the pending retirement of current Group Chair Sandra Ayton.
4. As an Owners Representative, attended the Representatives meeting of the Cradle Coast Authority.
5. After six years as State Director on the Local Government Professionals National Board, the General Manager has finished in this position.

STATE AND FEDERAL GOVERNMENT PROGRAMS

1. Attended the Devonport Chamber of Commerce and Industry State Budget Dinner, with presentations by the Premier, Hon. Jeremy Rockliff MP and Treasurer Hon. Michael Ferguson MP at the paranapple centre.
2. Met with Luke Edmunds MP, Shadow Minister for Local Government, to discuss local government reform and general matters relating to this region.
3. The General Manager has been appointed to the Premiers Local Government Council (PLGC), representing the North West region. The PLGC consists of the Premier, Local Government Minister, Local Government Director, LGAT General Management Committee members and 3 General Managers and generally meets quarterly or as required.

OTHER

1. Council Officers have been participating in a regional working group identifying a number of urgent updates required to the Cradle Coast Regional Land Use Strategy. As a result of this work, the Minister for Planning, Hon. Michael Ferguson MP has suggested a number of amendments be made to the regional strategy and is undertaking formal consultation on a number of changes (see attached). A response in support has been provided by Devonport City Council and is also provided as an attachment.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

Any specific risk implications will be outlined in the commentary above. Any specific risk that may result in an issue for 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. CCRLUS - letter to DEVONPORT - 7 June 2023 [**6.3.1** - 2 pages]
2. Submission on interim updates to CCRLUS (Devonport City Council - June 2023) [**6.3.2** - 1 page]
3. Current & Previous Minutes Resolution - May 2023 [**6.3.3** - 2 pages]

6.4 MONTHLY OPERATIONAL REPORT - MAY 2023

Author: **Claire Jordan, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council receive and note the Monthly Operational Report for the period ending 31 May 2023.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report provides a summary of council performance and general matters of interest during the month of May 2023.

BACKGROUND

This report is provided to update Councillors and the community on council's performance over the previous month and includes:

- monthly financial performance reports;
- progress on annual plan actions;
- information on matters relating to operational activities of the Council;
- general council matters that maybe of interest to the community; and
- tabling of minutes received relating to Council Committees, Authorities and related External Organisations.

Further operational information can be obtained by viewing Council dashboards at Council's website: [Your Council Dashboards | Devonport City Council](#)

STATUTORY REQUIREMENTS

In undertaking its operational activities, Council is required to comply with the *Local Government Act 1993* and various other legislation.

DISCUSSION

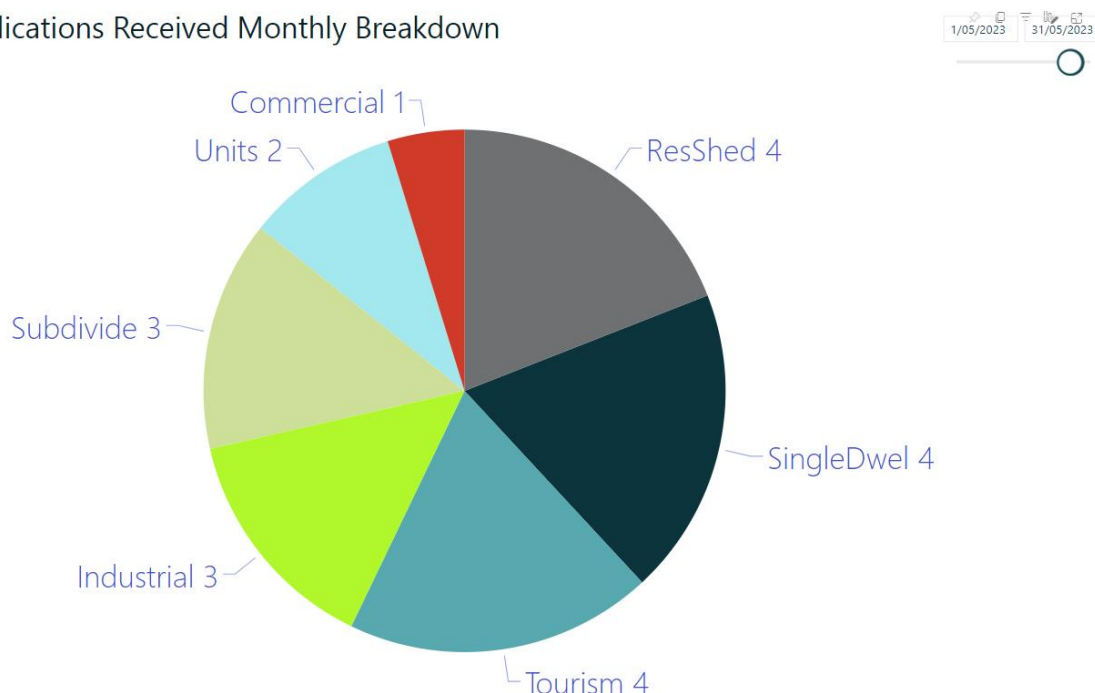
The following information is provided as an update on operational activity undertaken by Council during the month of May 2023:

1. DEVELOPMENT SERVICES:

1.1. Planning:

1.1.1. The following graph details the breakdown of planning applications received during May:

Planning Applications Received Monthly Breakdown



Definitions:

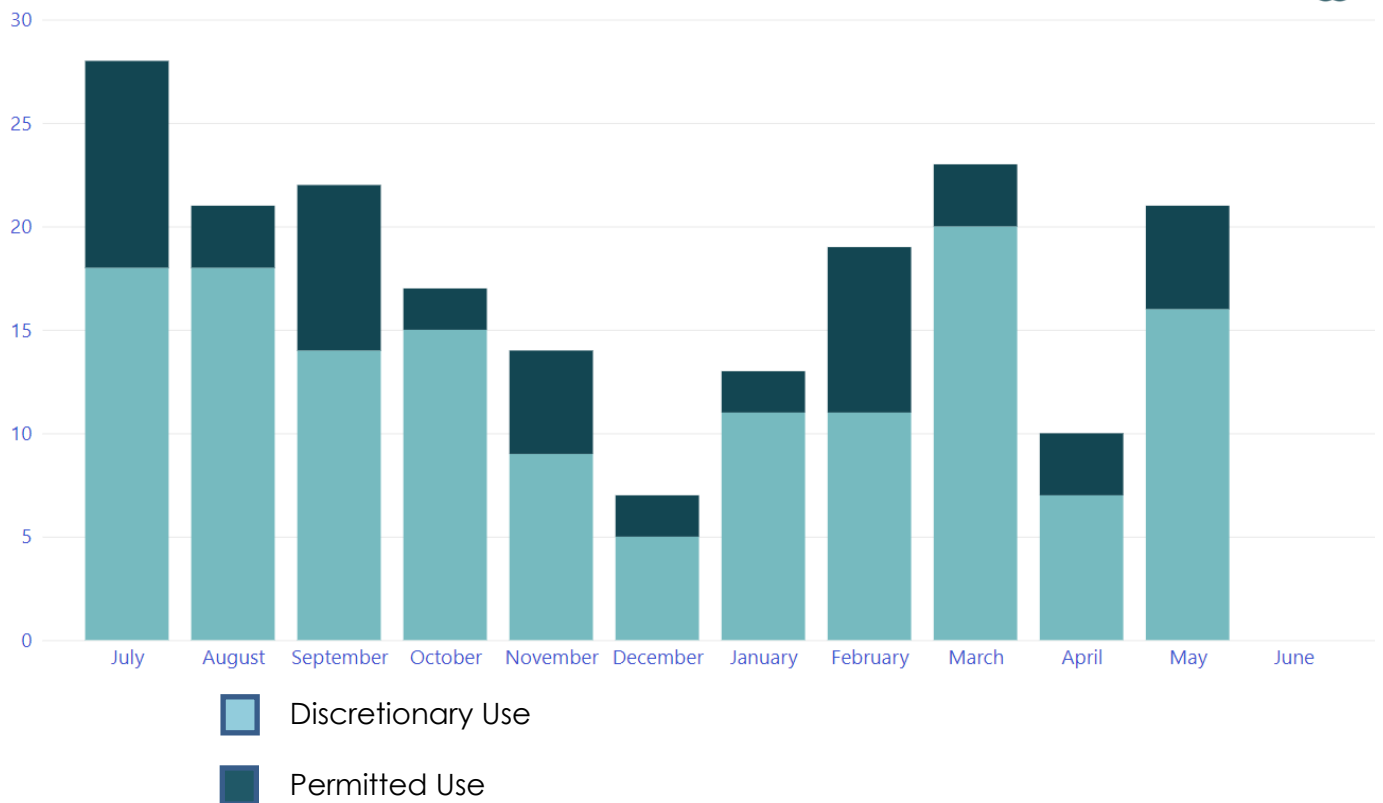
- Single Dwellings – means single residential dwelling on a single lot.
- Residential Shed – means shed on a residential lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary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

1.1.2. The following graph details the number of Planning Applications received in May (permitted/discretionary):

Planning Applications Received - Permitted & Discretionary

1/07/2022 30/06/2023

Primary Category Discretion Permitted

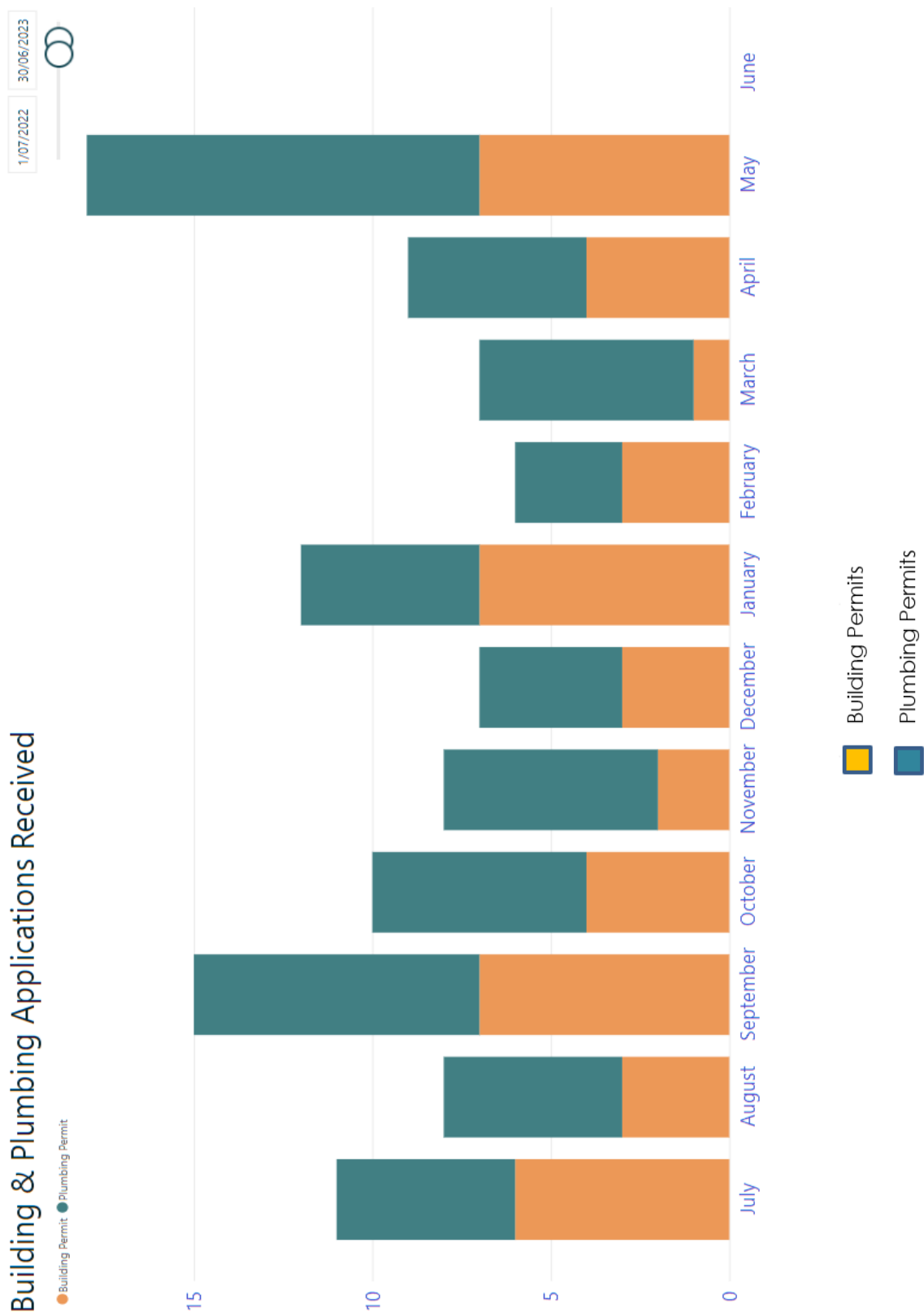


1.1.3. Planning Applications approved under delegation:

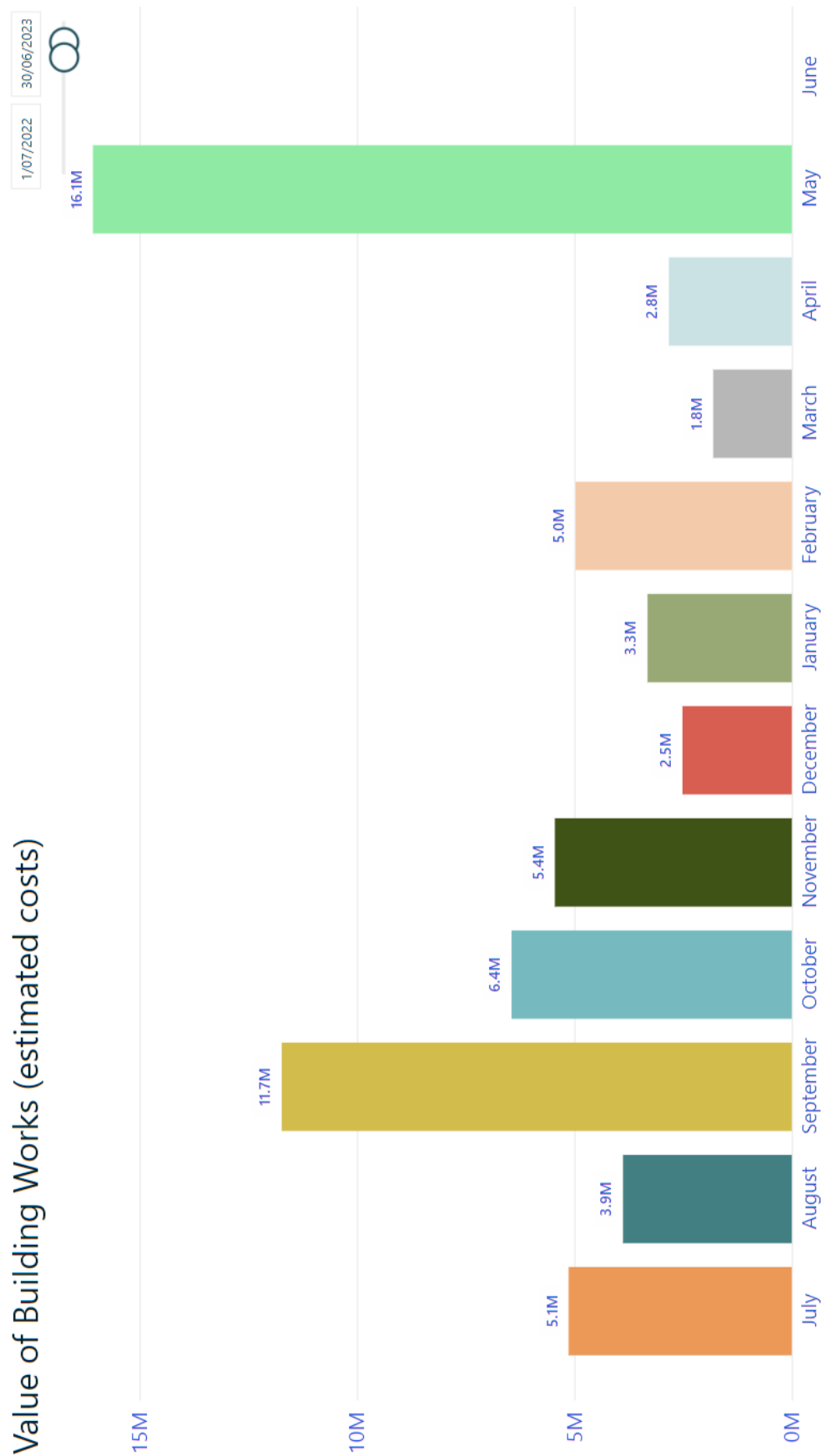
Planning Applications approved under delegation 1 May 2023 - 31 May 2023				
Application ID	Primary Category	Primary Property	Full Details	Approved
PA2023.0033	Discretion	20 Forest Heights Drive Tugrah	Residential (single dwelling and outbuilding)	9/05/2023
PA2023.0037	Discretion	2/11 Cross Street East Devonport	Visitor Accommodation	4/05/2023
PA2023.0040	Discretion	21A North Street Devonport	Visitor Accommodation	2/05/2023
PA2023.0042	Discretion	103-105 William Street Devonport	Sports and Recreation (additions and alterations)	3/05/2023
PA2023.0043	Discretion	17 Oldaker Street Devonport	Advertising sign	17/05/2023
PA2023.0046	Discretion	136 Buster Road Melrose	Residential (secondary residence)	8/05/2023
PA2023.0048	Discretion	102 George Street Devonport	Residential (additional unit)	5/05/2023
PA2023.0050	Discretion	6 Illaroo Avenue East Devonport	Visitor Accommodation	9/05/2023
PA2023.0051	Discretion	235 Kelcey Tier Road Spreyton	Residential (addition)	9/05/2023
PA2023.0052	Discretion	6 Merseyview Court East Devonport	Residential (single dwelling and retaining walls)	8/05/2023
PA2023.0053	Permitted	29 Fenton Way Devonport	Subdivision (consolidation and reconfiguration of lot boundaries)	10/05/2023
PA2023.0054	Discretion	54 Squibbs Road Spreyton	2 lot subdivision	24/05/2023
PA2023.0055	Permitted	32 Formby Road Devonport	Demolition of building	8/05/2023
PA2023.0056	Permitted	10 Valkyrie Close Devonport	Residential (multiple dwellings x 2)	11/05/2023
PA2023.0057	Discretion	1/92 Percy Street Devonport	Visitor Accommodation	31/05/2023
PA2023.0059	Permitted	232 Bellamy Road Forthside	Change of Use – Secondary Residence	29/05/2023

1.2. Building & Plumbing:

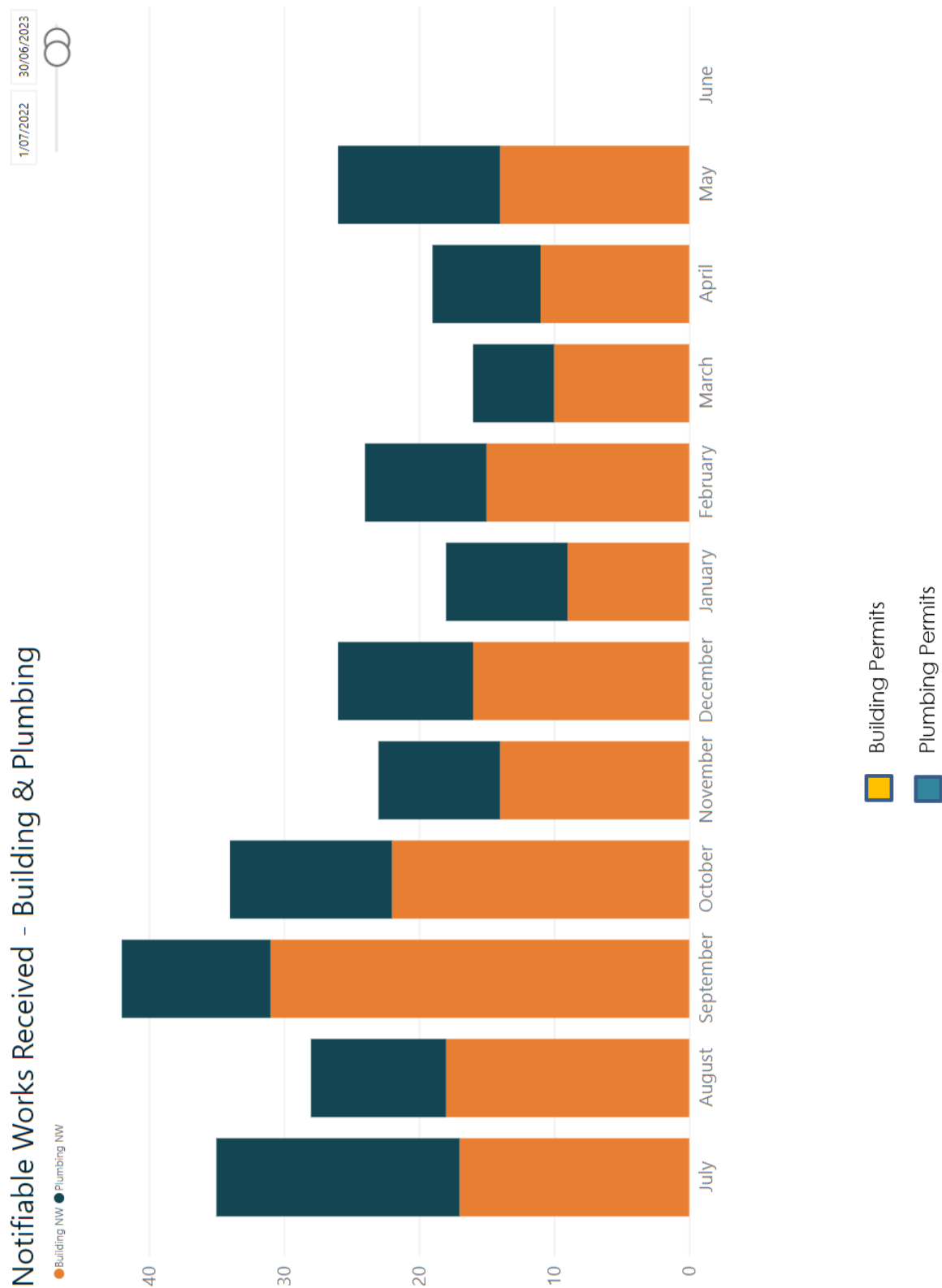
1.2.1. The following graph details the Building and Plumbing Applications received this financial year:



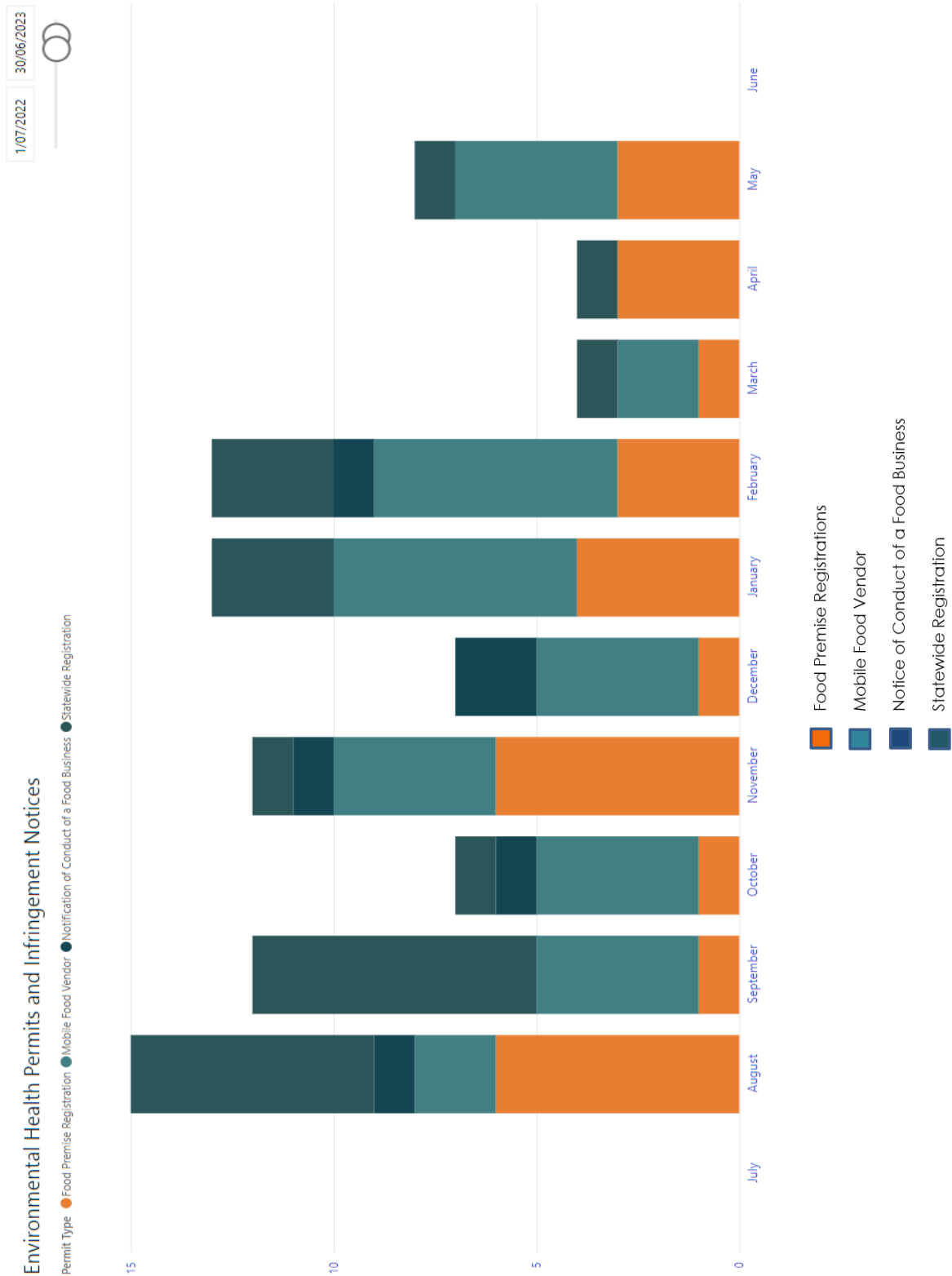
1.2.2. The following graph details the value of building works received this financial year:



1.2.3. The following graph details the notifiable works received for building and plumbing that have been issued this financial year:

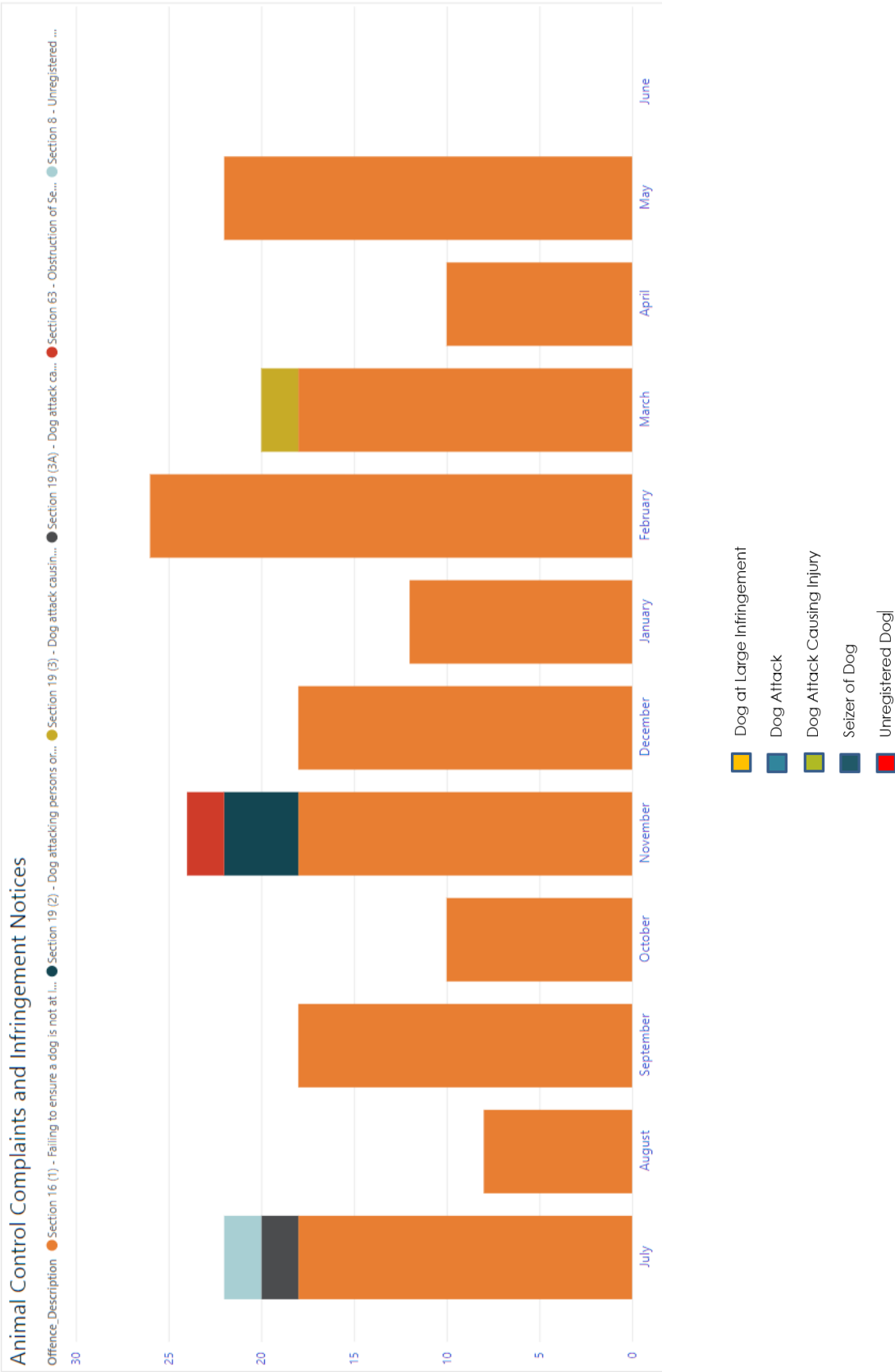


1.3. Environmental Health:
1.3.1. Food Business Registrations:



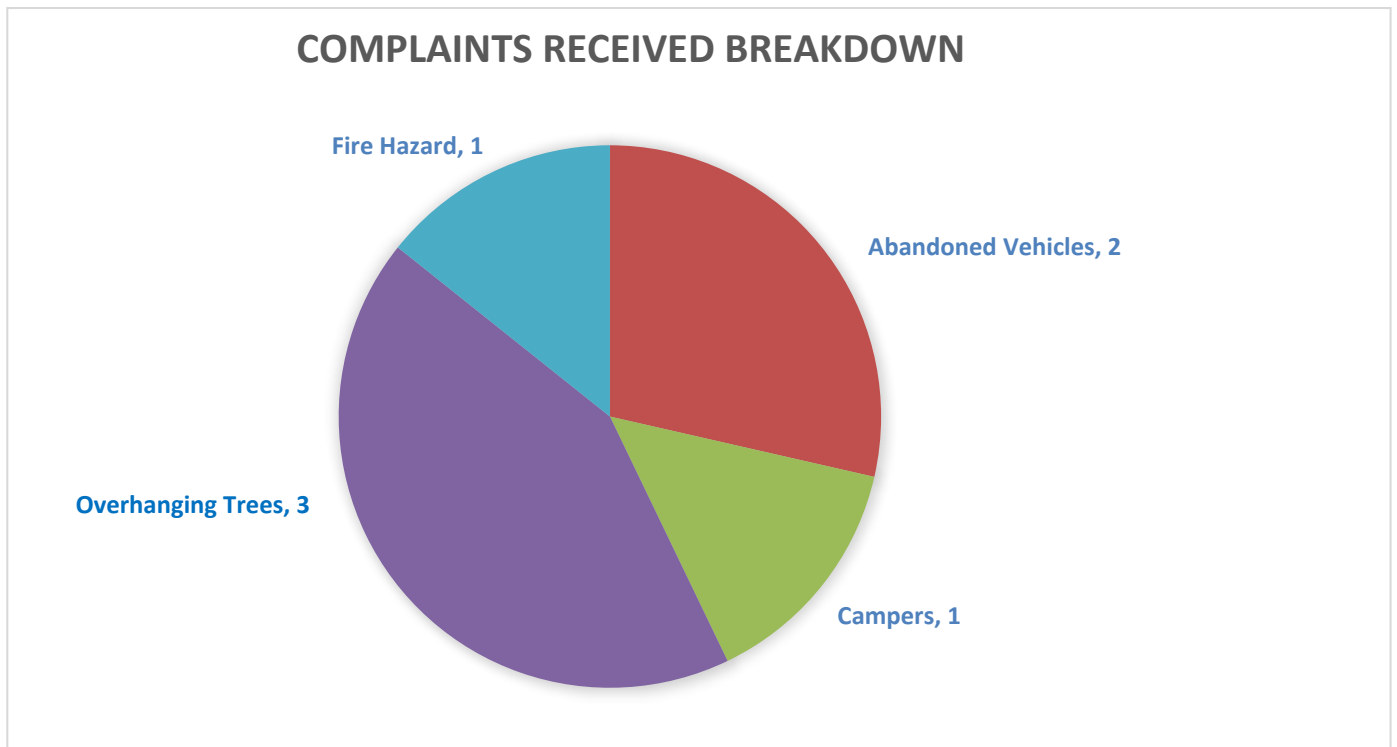
1.4. Animal Control:

1.4.1. The following graph details the number of animal complaints for this financial year:



1.5. Risk & Compliance:

1.5.1. The following graph details the breakdown of the complaints received by the Risk Department during May:



1.5.2. The following table details the types of incidents reported in May:

Council/Public	Number Reported
Council	15
Property Damage	6
Personal Injury	4
Property Theft	2
Hazard	1
Motor Vehicle	1
Near Hit	1
Public	5
Property Damage	3
General Public	1
Hazard	1
	20

2. INFRASTRUCTURE & WORKS:

2.1. Capital Works:

2.1.1. Stony Rise Footpath

This will allow pedestrians to walk from Lawrence Drive safely through the cemetery to Don Road. This will eventually link up with the walking track.



2.2. Asset Maintenance:

2.2.1. Taps at the Cemetery upgrade

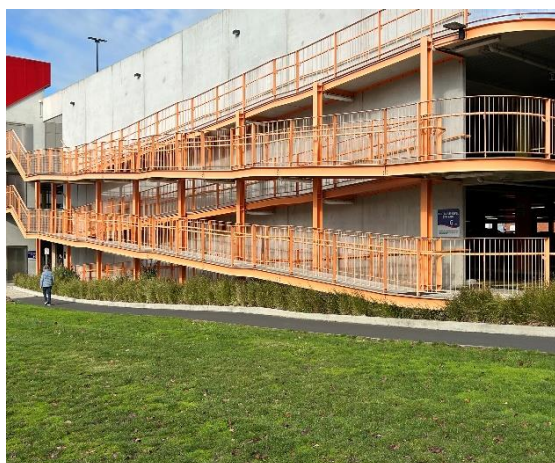
Completion of the upgrade of taps for the whole of cemetery including mowing strip.



2.2.2. Memorial Seat at the Don



2.2.3. Multi Storey Carpark – Pressure clean Pressure cleaning of walkway and both stairwells



2.2.4. East Devonport Recreation Centre

Pressure cleaning East Devonport Recreation Centre and surrounds.



2.2.5. Bellamy Road Shoulder Gravel



Before

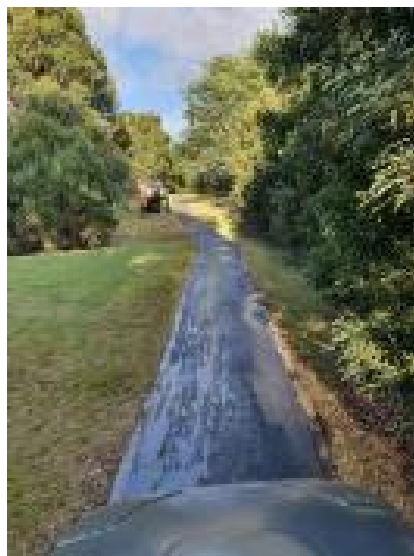


After

2.2.6. Leary Avenue – Repair Track and footpath



Before

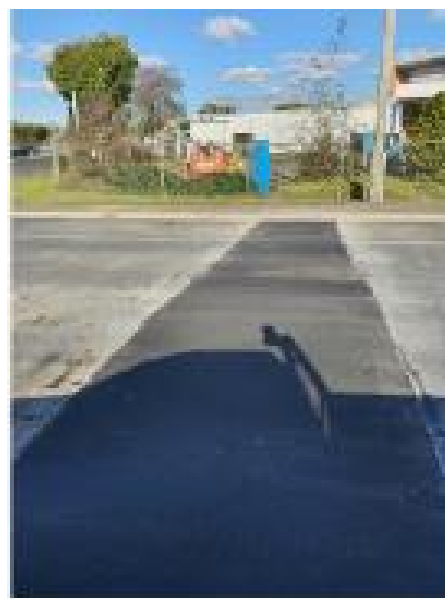


After

2.2.7. Devonport Road Mill Out and Repair

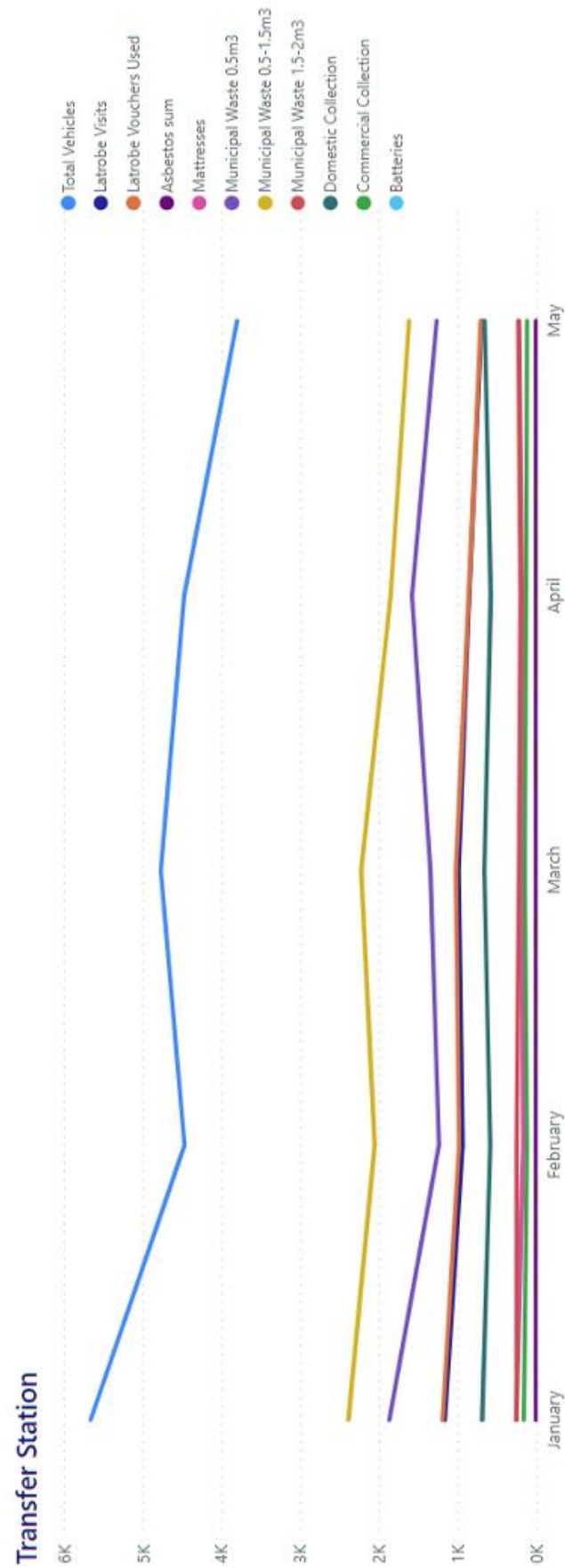


Before

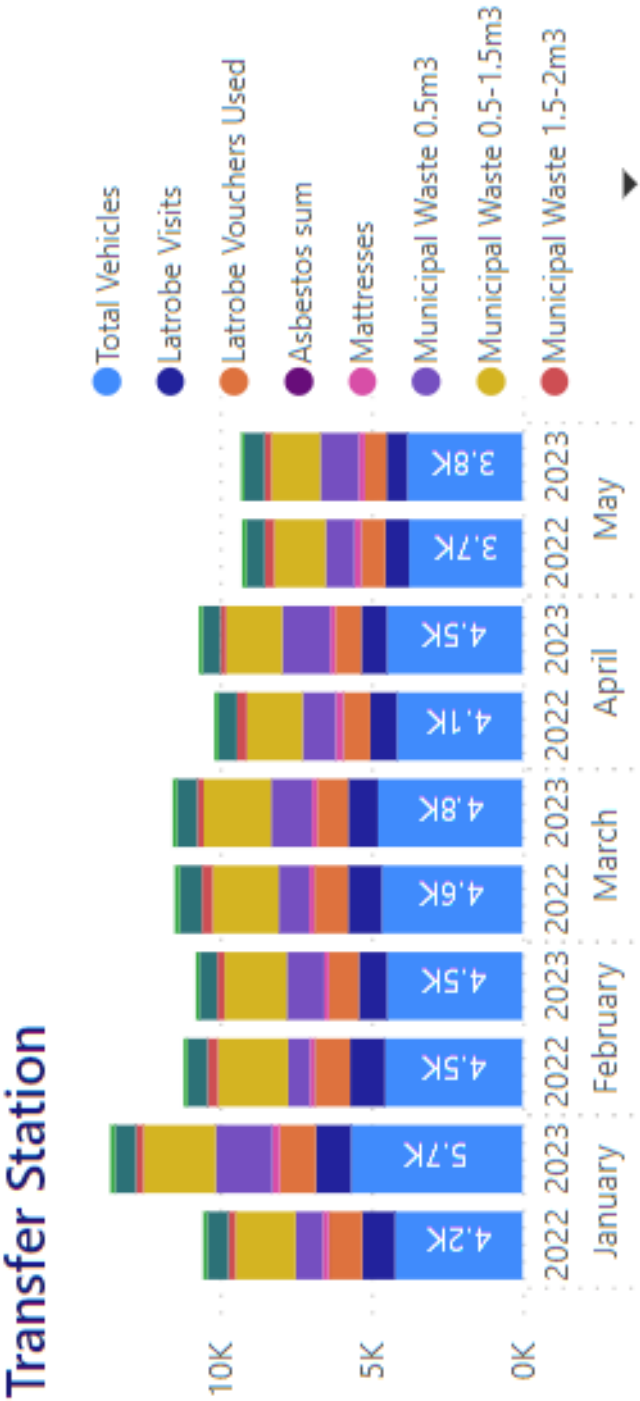


After

2.3. Waste Management:
2023 Year to date:



2022 / 2023 Comparison:

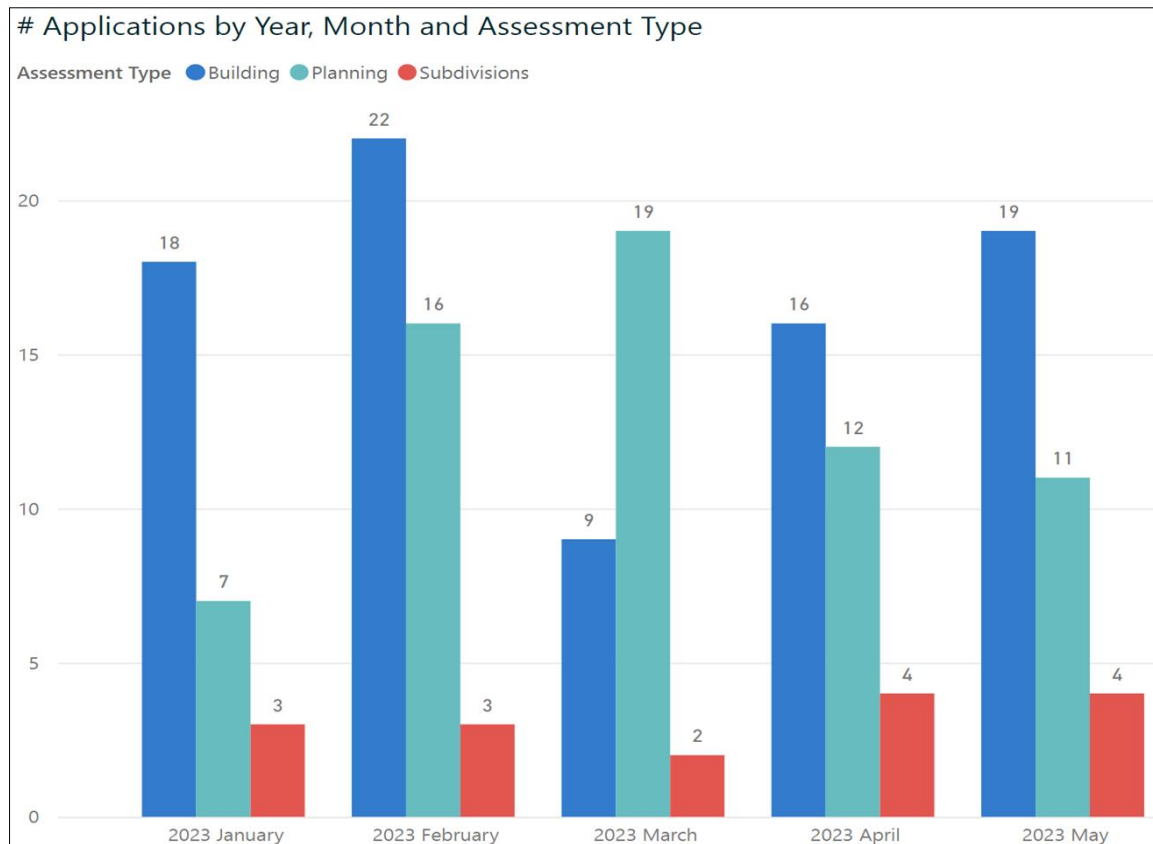


2021/2022/2023 – May:

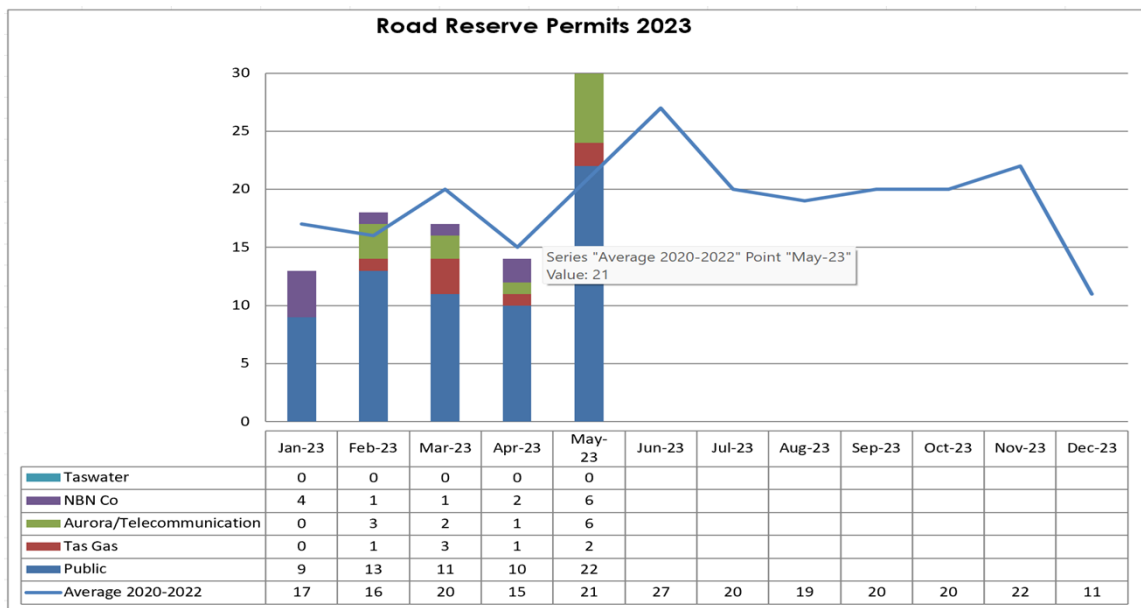


2.4. General Infrastructure Matters:

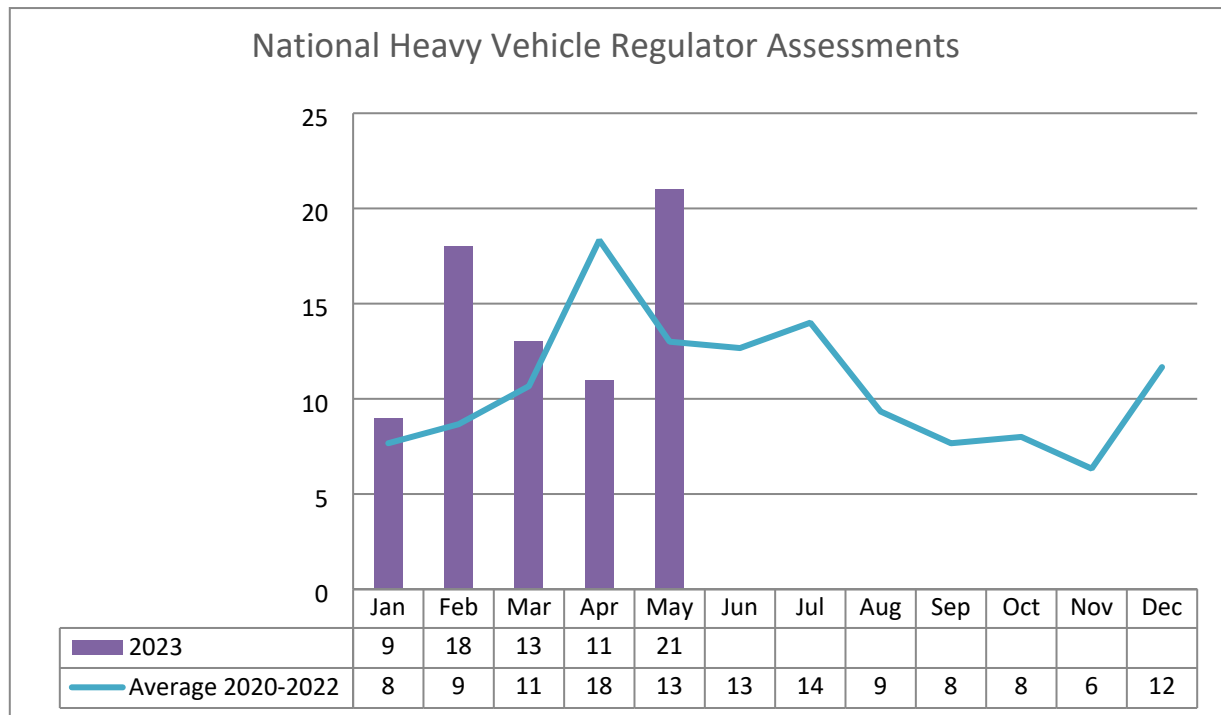
2.4.1. The following graph details the Engineering Assessments for Development Applications that have been completed year to date.



2.4.2. The following graph details the Road Reserve Permit Assessments that have been completed to date and compared to the three-year average.



2.4.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been processed to date and compared to the three-year average.



3. COMMUNITY SERVICES:

3.1. Community Development

3.1.1. Clare Bowditch

Council staff, in collaboration with Anglicare Tas, Creative Therapies Tasmania, East Devonport Child and Family Learning Centre, East Devonport Neighbourhood House, North West Suicide Prevention Trail Site, and Relationships Tasmania, organised two successful events featuring singer, songwriter, and story-maker Clare Bowditch. The purpose of these events was to promote mental health and wellbeing within the community thanks to funding through Primary health Tasmania.

Event Details:

- Thursday, 18 May: The paranapple convention centre hosted the first event.
- Friday, 19 May: The second event took place at East Devonport Primary School.

The event at the paranapple convention centre drew an audience of over 420 people. Mayor Alison Jarman took the opportunity to launch the Health and Wellbeing Strategy during this event. Clare delivered a captivating speech about the significance of taming one's inner critic to live a fulfilling life. Clare showcased her comic timing and mesmerized the audience with her soulful singing.

Approximately 70 people participated in the event at the East Devonport Neighbourhood House which included free childcare on offer at the East Devonport Child and Family Centre.

Clare emphasized the importance of maintaining positive mental health, particularly for new mothers. After her talk, Clare spent time at the East Devonport Child and Family Centre, interacting with the families.



Clare Bowditch speaking at the paranple convention centre



Clare Bowditch at East Devonport May 2023

3.1.2. Youth Week Expo

A Youth Expo was held in the paranple convention centre which was supported by Council. Over 300 youth attended the Devonport session.



3.1.3. Volunteer Week

Volunteer Certificates of Recognition

In a continued effort to acknowledge the contributions of community

members, Council reached out to the community seeking nominations for Volunteer Certificates of Recognition.

Mayor Alison Jarman signed a total of 624 Certificates which were awarded to honour the outstanding efforts of volunteers from 26 different organizations, highlighting the collective impact of local volunteers in making a positive difference in the lives of our community.



Mayor Alison Jarman signing Volunteer Certificates

Volunteer Week Celebration

The Devonport Volunteering Working Group hosted an afternoon tea at the Devonport Library on Wednesday 17 May to celebrate Devonport's volunteers, promote volunteering and encourage networking between volunteering organisations.

The event involved a number of guest speakers including Tegan, Jacinta and Emily (NW Tassie Mums Empowerment), Elliott Goodwin (DEVYAG), Lyn Laycock, Peter Hollister, Graham Kent, Tony MacDonald (Julie Burgess); and Will Smith (JCP Youth). The event was attended by approximately 50 people. In addition, SeaFM and 7AD held a live broadcast in the Devonport Library as a curtain raiser to the event. The stations conducted almost 24 interviews to promote volunteering which included interviewing numerous local volunteers.



National Volunteer Week celebration – 17 May 2023

3.1.4. Sister Cities

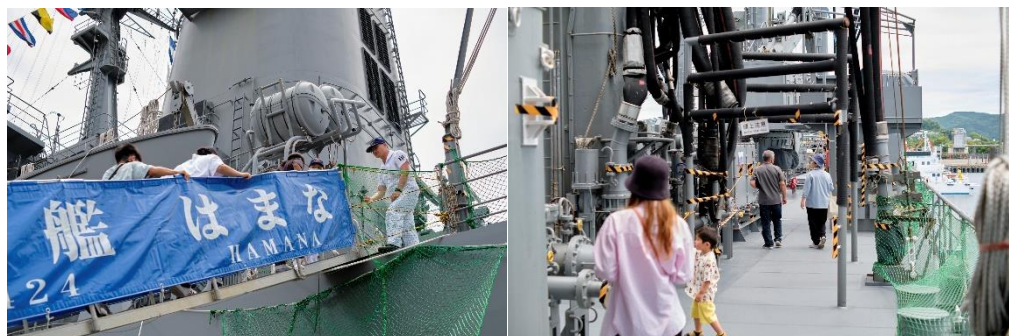
Minamata recently held its annual “Renryuusai” festival, (translated means “Love Dragon Festival”). A small scale version of the event was held last year, but this year it was back to full strength and the biggest festival in the region since COVID restrictions eased.

The biggest event was the “sou odori”, which is a large group dance. There were hundreds of participants from the city hall, local businesses and local organisations.



sou odori – a large group dance as part of the Renryuusai” festival

The other big attraction was the fireworks show. The festival also featured a number of local food stalls, and the Japanese Navy brought a ship (the JS Hamana) and opened it up for tours.



Japanese Navy ship JS Hamana open to the public for the Renryuusai” festival

3.1.5. Devonport Community Services Newsletter

The online Devonport Community Services newsletter is used to disseminate information about:

- Grants available to the community;
- Available community assistance programs and services;
- Health information, programs and initiatives;
- Events and community projects; and
- Updates from across Council.

Recent editions can be found on the Council website located at:

<https://www.devonport.tas.gov.au/live/your-community/community-services/newsletter/>.

The Department published one edition in May 2023.

Devonport events/locations that attracted attention by readers during May:

- Where? Where? Wedgie
- Devonport Senior Citizens Club
- Cultural Awareness Training
- Making your financial, medical and legal wishes known
- Tasmanian Rural Health Conference 2023

3.1.6. Partnership Agreements

Council partners with a diverse range of community-based organisations to achieve shared objectives. Existing partnership arrangements are included in the table below.

Details	End date and length of agreement	Amount – If Applicable
Carols by Candlelight	1-year Agreement 1 July 2023	\$3,500 pa
City of Devonport Eisteddfod	3-year Agreement – 2019 – 2022 (extended to 2022 due to Eisteddfod being cancelled in 2020 due to COVID)	\$10,000 pa
Devonport Brass Band	3-year Agreement 30 June 2025	\$10,000 pa
Devonport Community House	3-year Agreement 30 June 2025	\$18,000 pa
Devonport Men's Shed	3-year agreement 1 July 2025	\$8,000 pa
Devonport Motor Show	5-year Agreement 29 January 2024	\$2,500 pa
National Trust of Australia – Home Hill operations	3-year Agreement June 2025	\$28,000 pa
RANT Arts	5-year Agreement November 2026	Subsidised rent for property at 45-47 Stewart St, for delivery of arts & cultural services to the community
Tasmanian Arboretum	3-year Agreement 30 June 2025	\$22,000 pa
Youth Family & Community Connections	5-year Agreement 29 June 2023	Subsidised rent for property at 62 and 64 Stewart St for the delivery of services to support young people & families
Devonport Chamber of Commerce and Industry	2-year agreement 30 June 2024	\$40,000 pa
Julie Burgess Inc	5-year agreement 30 January 2025	\$40,000 pa

3.1.7. Financial Assistance

Devonport Devils Masters Swimming Club recently celebrated the arrival of coaching and training equipment made possible thanks to a Devonport City Council Community Grant. The club supports an environment that allows its members of all ages and level of swimming, to participate in coached training sessions for fitness and stroke correction, providing them with the opportunity to participate in State and National competitions, if they wish.

Club Captain Nina Edwards is grateful of the financial support Devonport Council has given the club. "The club can now support existing and new members better with their goals of getting fit and linking up with like-minded people, while enjoying the experience. The new equipment will add different facets to our training sessions, challenging our bodies and minds alike."

The equipment purchased includes the forearm fulcrum, which promotes the desired early vertical forearm in swimming by not allowing the wrist to bend during training sets. It is beneficial for all four competitive strokes.



Devonport Devils Masters Swimming Club opening the new training equipment

Council's Major Grant, Minor grant and Rate Remission applications will open on 1 July until 31 August and will be assessed September 2023.

3.1.8. Newtons Second law of motion

A Council Officer worked with St Brendan Shaw College Teacher and students to successfully conduct a physics experiment investigating weight measurements in a lift using a scale. The experiment in the paranapple centre trade lift revealed weight variations during acceleration and deceleration phases, illustrating the impact of forces and motion within a lift. These observations align with Newton's second law of motion, which states that the net force acting on an object is equal to its mass multiplied by its acceleration.



St Brendan Shaw students testing Newton's second law of motion

3.1.9. Working Groups

Access and Inclusion Working Group

The Access and Inclusion Working Group met twice in May. The first meeting reviewed speakers for an upcoming event to be hosted by the Group. The second meeting received an update on the Freaky Friday Relaxed Performance and further planning for a June Speaking event.

The Speaker chosen by the group was Alex Noble.



3.2. Natural Resource Management:

3.2.1. Friends of Don

The Friends of Don Reserve were only able to meet once in May due to the inclement weather.

3.3. Active Communities:

Sport and Recreation transitioned to Active Communities during April/May.

3.3.1 Active Communities Events:

Event	Dates	Venue	DCC Sponsorship
Reece High School Cross Country	24 th May	Kelsey Tier Reserve	FOC venue hire
St Brendan Shaw College Cross Country	24 th May	Don Oval	FOC venue hire
Futsal School Titles	9 th - 11 th of May	DRC	
Northwest Basketball Union Home Games	2 nd and 23 rd May	DRC	(Non official) Rec Centre and 3 x Works Depo staff for set up each game
Northwest Basketball Union Semi Finals	30 th and 31 st May	DBC	In-kind set up

Event	Dates	Venue	DCC Sponsorship
Basketball Tas Tasmanian Junior Basketball League	14 th and 21 st May	DBC	In-kind set up
CWA Forum	6 th May	EDRC	

3.3.2 Upcoming June events:

Event	Dates 2023	Venue	DCC Sponsorship
Devonport Cup	9, 10, 11 th June	Meercroft Park, Don Oval, Valley Road, Eugene Street	\$3000 + \$1000 in-kind + FOC Don Oval hire

3.3.3 Recreation Centre participation data:

DEVONPORT RECREATION CENTRE		
	BOOKINGS	USER GROUPS
JUDO	30	1
MEETING ROOM	4	3
SAUNA	171	1
SQUASH	23	4
STADIUM		9
COURT 1	86	
COURT 2	66	
TABLE TENNIS	49	4
YOUTH CENTRE	144	10
TOTAL	573	32

EAST DEVONPORT RECREATION AND FUNCTION CENTRE		
	BOOKINGS	USER GROUPS
STADIUM	53	8
COMMUNITY ROOM	7	4
TOTAL	60	12

3.4. Events:

- 3.4.1 The events team are in the planning process for the following events:
 Devonport Jazz – 27th – 30th July 2023 – www.devonportjazz.com.au
 Spring Fling Fair – Haines Park – 22nd October 2023
 Devonport Christmas Parade – 8th December 2023
 New Years Eve Event – Aikenhead Point – 31st December 2023



3.4.2 Upcoming Events:

Full details of events can be found on Council's website <https://www.devonport.tas.gov.au/whats-on-devonport/> or events facebook page <https://www.facebook.com/devonportevents/>
No external events were held for the month of May 2023.

4. CURRENT FACILITIES:

4.1. Devonport Regional Gallery:

4.1.1. Gallery Program

Exhibition	Date
Dear Dahlia – Celebrating the Dahlia Festival 1955-1999	11 Feb – 20 May
Something Old Something New Devonport Regional Gallery 50 Years of Collecting	6 May – 17 June
Xiyue (CiCi) Zhang: Little Gallery Emerging Artist Program	6 May – 10 June
Atmospheres, Ecologies and Attunement: Contemporary Landscape Practice from the Devonport Regional Gallery Permanent Collection. Curated by Dr. Troy Ruffels	27 May – 29 June
Seve de Angelis: Little Gallery Emerging Artist Program	17 June – 29 July
To Companion a Companion: Fernando de Campo	24 June – 5 August

4.1.2. Education Program activities and participation data:

Event	Participation	Date
Screen printing workshop at Pathway Shed - Devonport Library collab	18	3-May
Watercolour painting at YFCC	8	9-May
East Devonport Primary Exhibition prep	21	10-May
Create & Make Wednesday T2 session 1	25	10-May
Friends of the Gallery AGM	10	11-May
Create & Make Thursday T2 session 1	8	11-May
Main Gallery Opening: Something Old Something New - DRG 50 years of Collecting	30	12-May
NW Homeschool group workshops	29	12-May
GP conference partners tour & workshop	11	13-May
Devonport Primary 2-3 class	25	17-May
Create & Make Wednesday T2 session 2	12	17-May
Create & Make Thursday T2 session 2	16	18-May
Outreach Pathway Shed Youth Group	13	22-May
Books + Art	5	22-May
Create & Make Wednesday T2 session 3	11	24-May
Create & Make Thursday T2 session 3	12	25-May
Atmospheres, Ecologies and Attunement Floor Talk Dr Troy Ruffels	23	27-May
Create & Make Wednesday T2 session 4	6	31-May
TOTAL	283	

4.2. Bass Strait Maritime Centre:

4.2.1. Exhibition Program

Current Exhibition	Opening Date
Strata: Metals, Minerals, and Mining on the Northwest Coast	April 2023
Upcoming Exhibitions	
Shipwreck! The Sinking of the Sanyo Maru	July 2023
BSMC 50 th Anniversary Exhibition	Oct 2023

4.2.2. Education and public program activities and participation data:

Event	Participation	Date
School for Seniors – Devonport (off site)	25	16-May
Volunteer Week Morning Tea	6	17-May
International Museum's Day – Open Day	20	18-May
Our Lady of Lourdes Primary School	55	24-May
Mole Creek Primary School	18	26-May
TOTAL	124	



Mole Creek Primary School visit

4.3. paranaple arts centre

4.3.1. Performance and production program:

Production	Patrons	Date
Elvis: Hollywood to Las Vegas	143	11 May
Freaky Friday: Devonport Choral Society	1,758	12-27 May
Adam Harvey and Beccy Cole: The Great Country Songbook Volume 3	381	19 May
Wilfrid Gordon McDonald Partridge	468	30 May
Upcoming		
School of Rock, The Musical: Don College	TBC	16-24 June
Singalong Musicals Mamma Mia – ABBA on Repeat	TBC	30 June

4.3.2. Visitor number data:

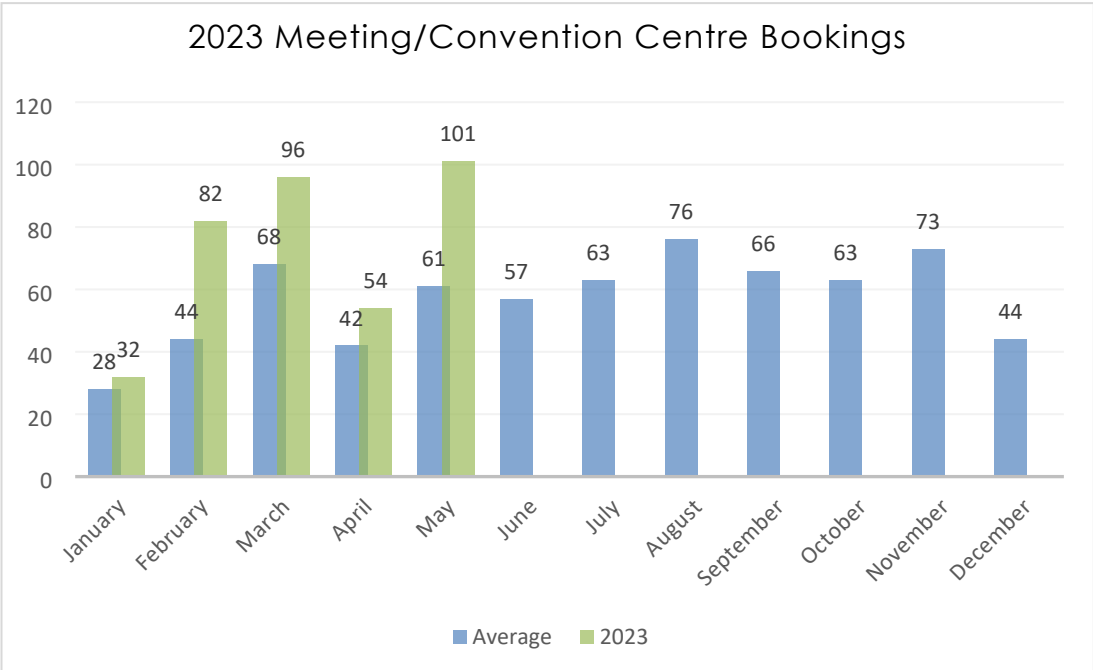
Facility	Visitors May
paranaple arts centre	4,553
Bass Strait Maritime Centre	460
TOTAL	4,964

4.4. Convention Centre & Market Square:

4.4.1. Events including attendee numbers and utilisation trends

Event	Presented by	Attendance
Youth Week	Youth, Family and Community Connections	500
Triangle of Sadness Film Screening	Northwest Film Society	70
Elvis: Hollywood to Las Vegas	Zurcas Entertainment	150
Tasmanian Rural Health Conference	Department of Health Tasmania	150 per day 2 Days
Clare Bowditch Event	Devonport City Council	400
Adam Harvey & Beccy Cole Concert	Sure Thing Agency	361
Principals Briefing and Presentation	Learning Services Northern Region	140
State Budget Dinner	Devonport Chamber of Commerce and Industry	85
Living Well Forum	Diabetes Tasmania	63
National Reconciliation Breakfast	Reconciliation Tasmania	250

For May 2023, the DCC meeting rooms held 91 events and 10 events in the convention centre. Total attendance of 3,365 patrons.



National Reconciliation Week Breakfast

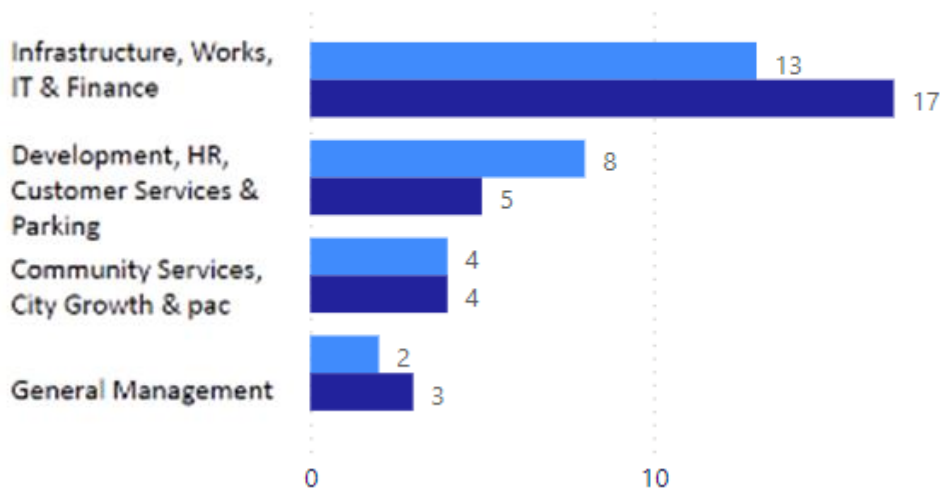
5. CORPORATE SERVICES:

5.1. Human Resources:

5.1.1. Staff departures and recruitment (advertised positions and staff appointments) this financial year:

Turnover by Department

● New Hires ● Num Departed



5.2. Communications:

5.2.1. Website and social media statistics and data:

Devonport City Council Website

Devonport City Council website content is refreshed on an on-going basis, by updating information and the addition of new public notices, planning applications, news stories and events.

Top 10 Website Pages	May 2023
1. News and media	
2. Employment opportunities	
3. Advertised planning permits	
4. Contact Us	
5. Forms and payments	
6. Cracker Night	
7. Mersey Vale Memorial Park	
8. What's On Devonport	
9. Waste Transfer Station	
10. Public Art Consultation – City Entrance Markers	
Note: Most visitors to the website begin at the home page, but this is not listed in the top 10 pages, as it would be a normal starting point for most website visits.	

Website statistics taken from Google Analytics
May (Vers 2022) Website Statistics

Community Consultation

Council's online engagement platform www.speakupdevonport.com.au is utilised for all of Council's community consultation.

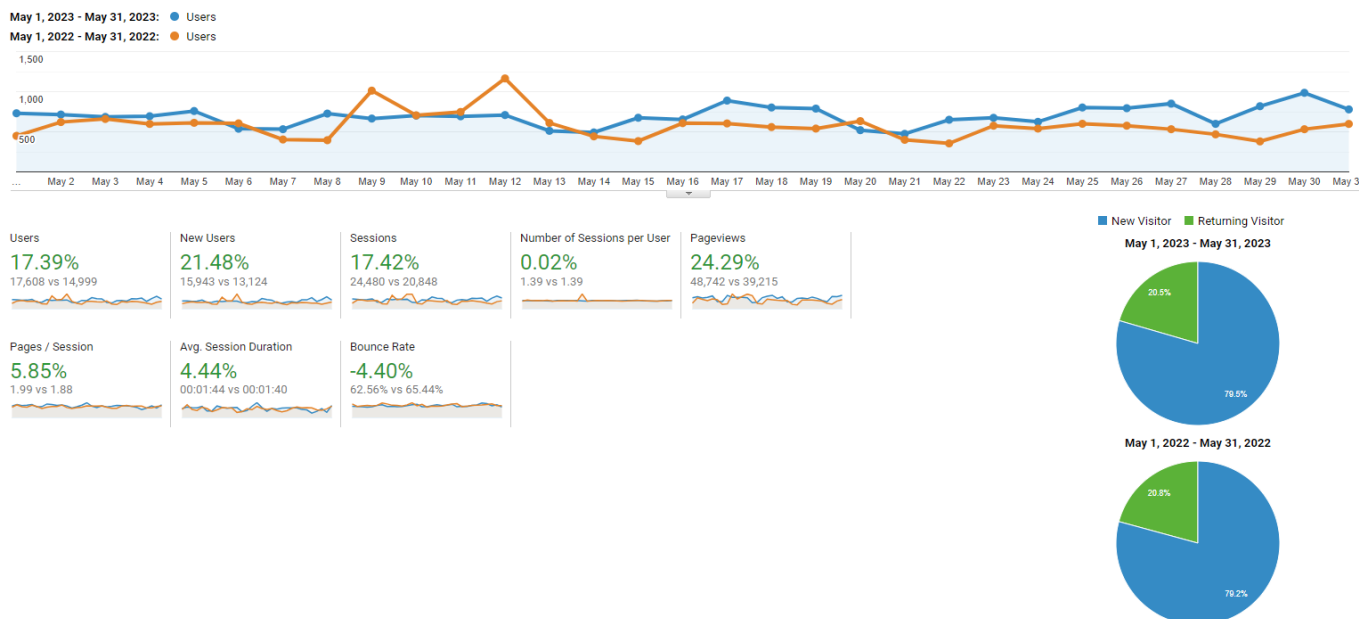
Social Media

Council currently utilises Facebook, Twitter and LinkedIn as social media tools to engage with the community and local media.

Followers at the end of May 2023:

Facebook	11,556 – up by 111
LinkedIn	1164 – up by 18
Twitter	686 – down by 5

The Devonport City Council Corporate Facebook page is well utilised by the community, with high engagement regarding capital works projects, media releases, Council events, emergency updates, community initiatives and road works. Several other Facebook pages and Instagram accounts are administered by Council's Events Team, and the paranple arts and convention centre. Each represent a targeted marketing opportunity, with content planned specific to each page's audience.



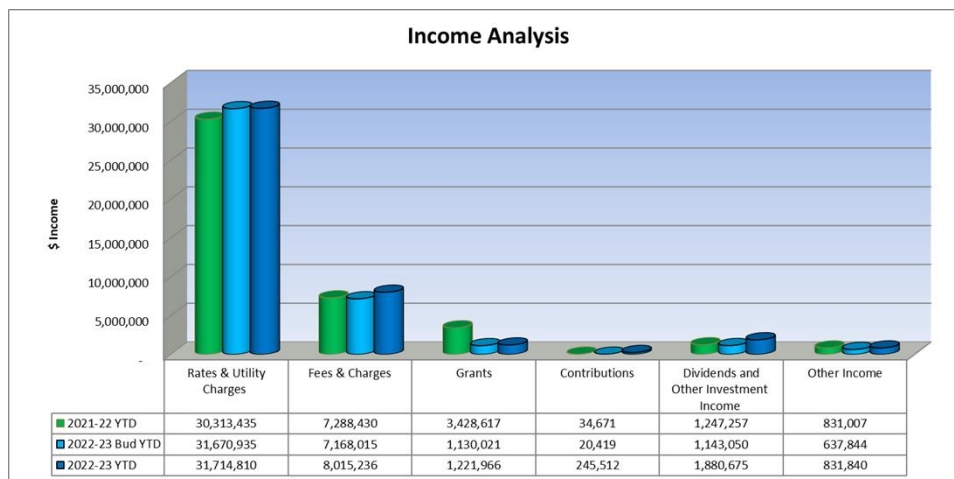
DCC Corporate Facebook Page Statistics	May 2023
Facebook Average Monthly Reach: Number of Facebook users who have seen content associated with the page during the period (individual users can be 'reached' numerous times per month).	98,240TY (19,109LY)

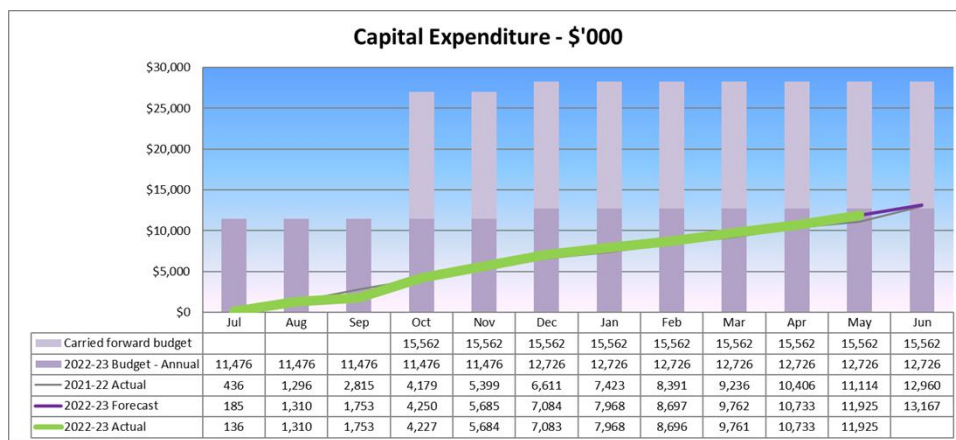
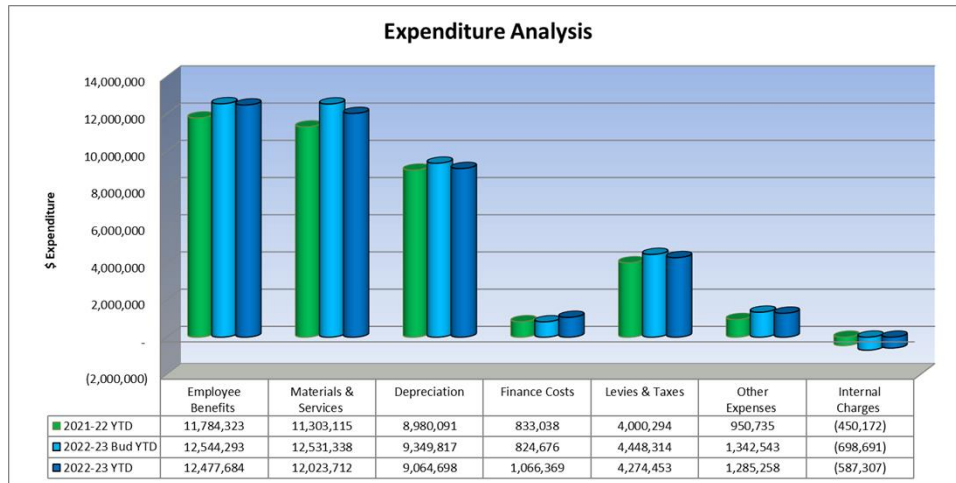
During May, the top 10 Facebook posts in terms of audience reach were:

May 2023	
1.	Mist Feature – Waterfront Park photo, 16/05/2023, 54.2k
2.	Clare Bowditch - 'How to Live the Life you Want' Event, 24/05/2023, 13.5k
3.	Torquay Heritage Trail Launch, 18/05/2023, 12.4k
4.	Mersey Vale Memorial Park closure, 23/05/2023, 12k
5.	Mayor Alison Jarman reads 'The Speedy Sloth' at The Devonport Playhouse, 29/05/2023, 11.5k
6.	Volunteer Week promotion - Speaker Will Smith, 12/05/2023, 11.1k
7.	Volunteer Week promotion – Speakers Tegan and Emily, 11/05/2023, 10.2k
8.	Victoria Parade Gardens, 8/05/2023, 9.9k
9.	The Torquay Heritage Trail Officially Opens, 17 May 2023, 9.4k
10.	Public Art Consultation – City Entrance Markers, 25 May 2023, 8.8k

5.3. Finance:

The operating result for the financial year to the end of May 2023 is favourable with actual revenue being higher than budget by \$2.1M and actual expenses being lower than budget by \$737K, resulting in an overall favourable variance of \$2.8M. The forecast operating surplus for the financial year is \$4.6M, which includes share of profit of associates (Dulverton) of \$3.1M. The forecast underlying surplus for the year after taking into account net loss on disposal of assets is \$2.7M.

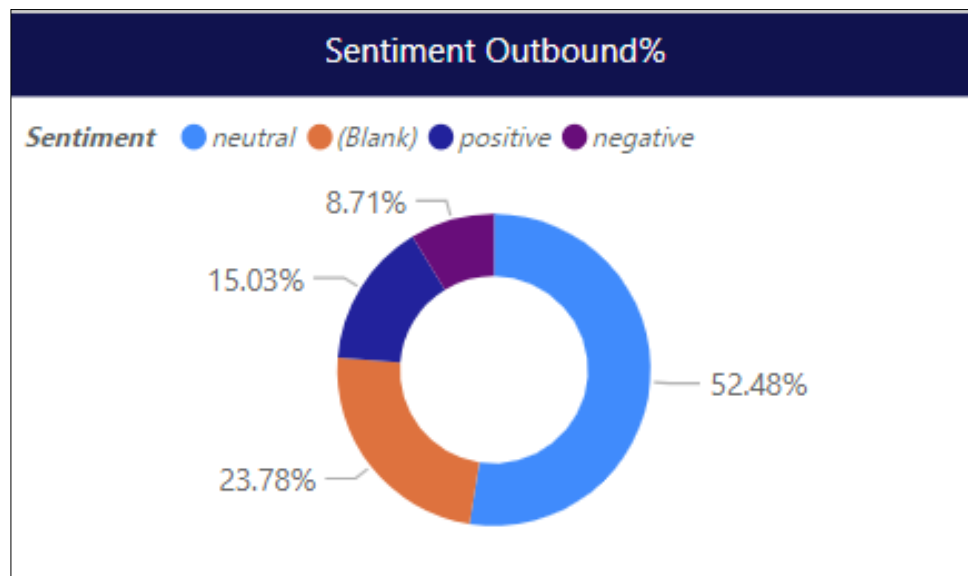
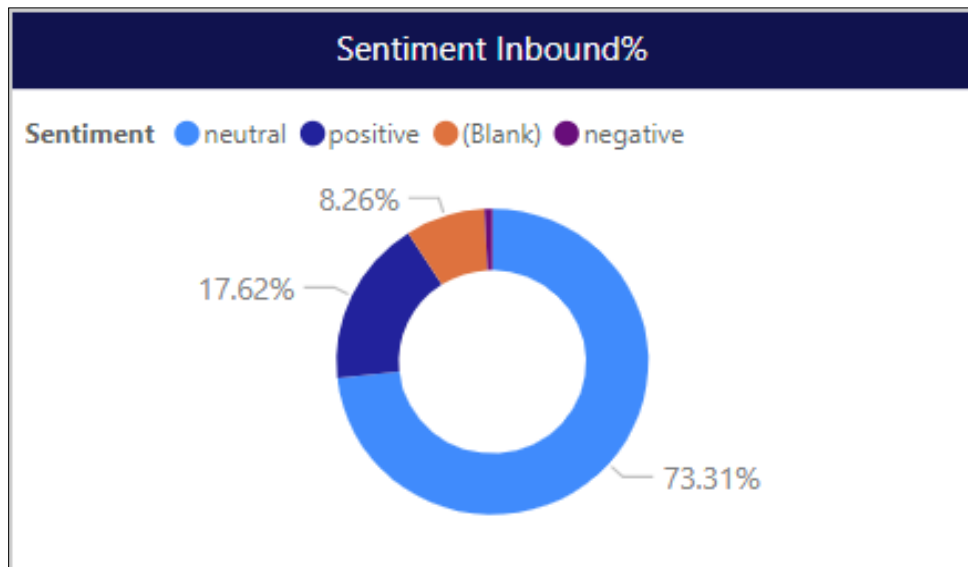




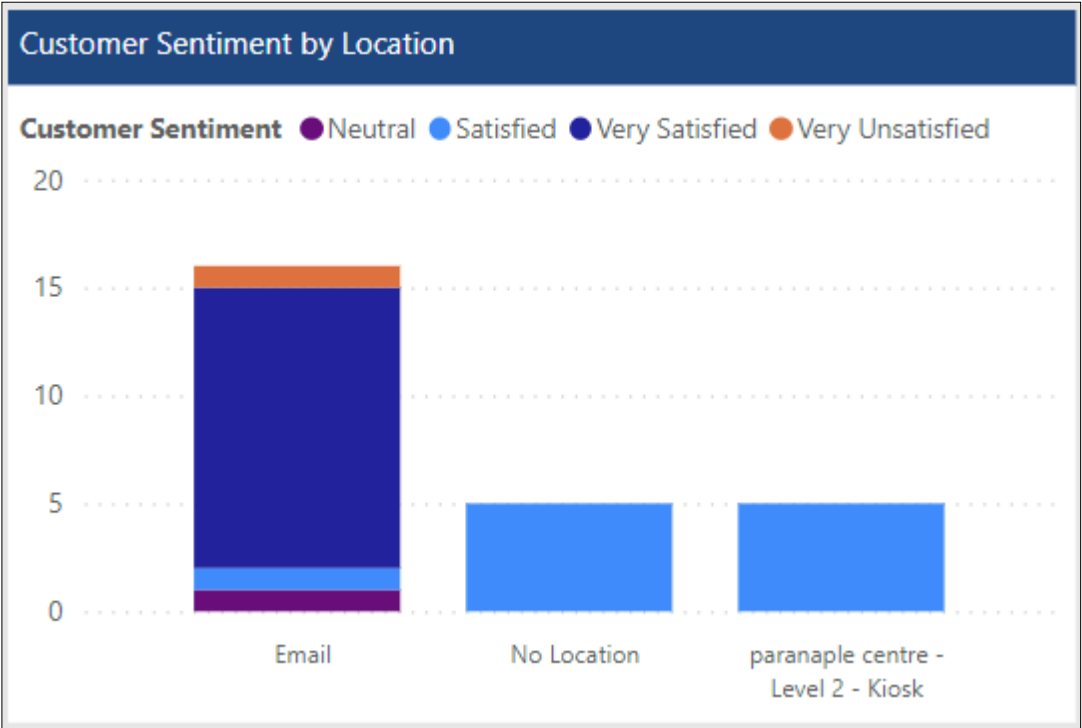
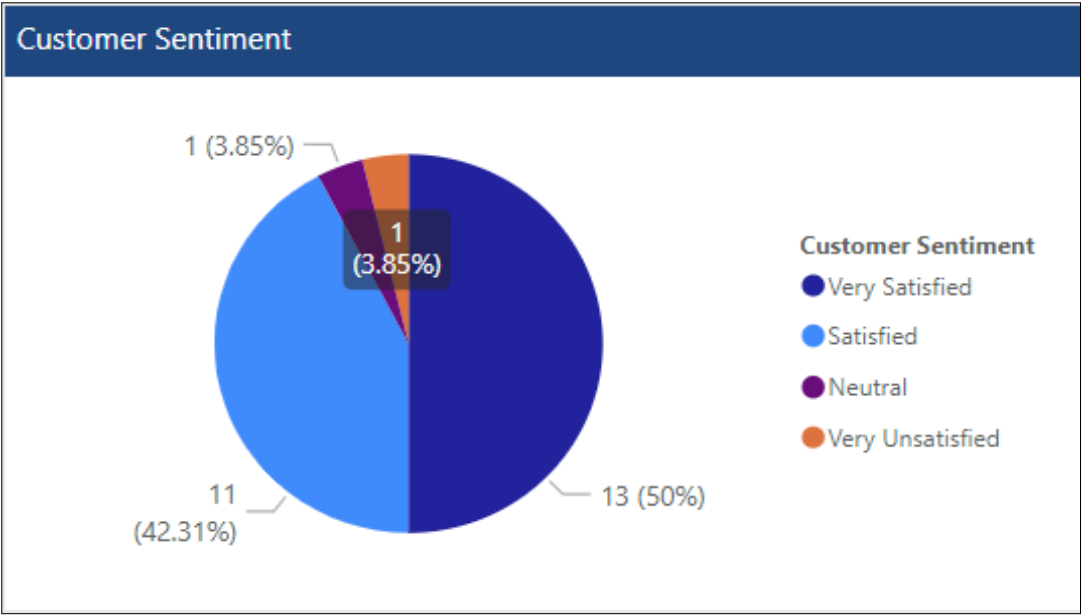
Please refer to the attached finance report for further information.

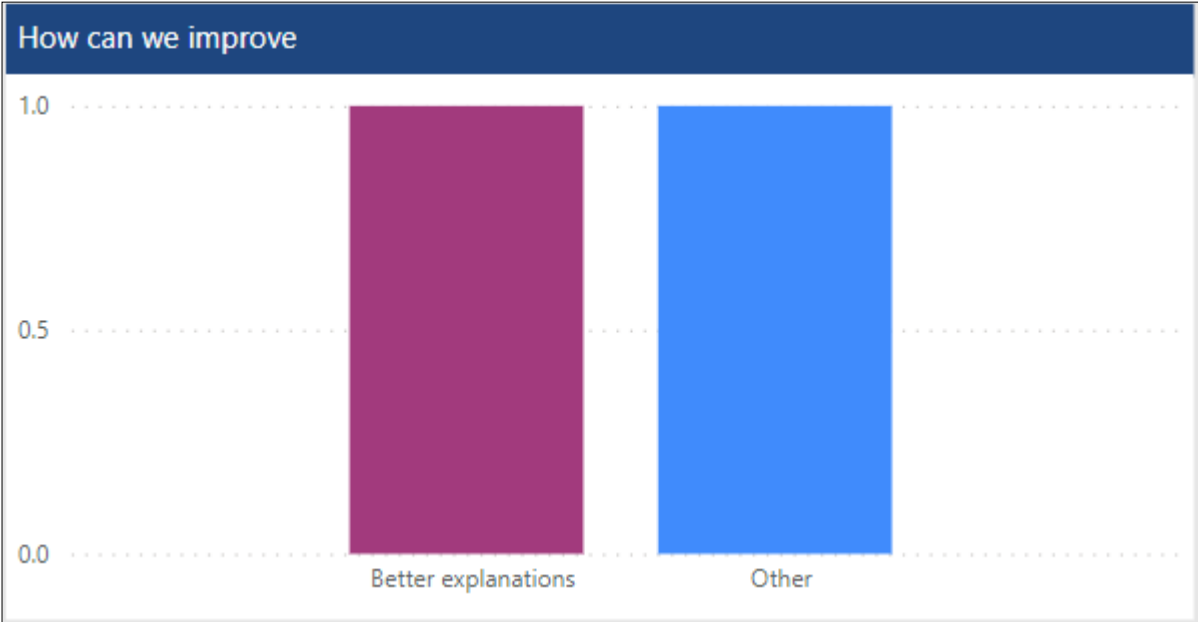
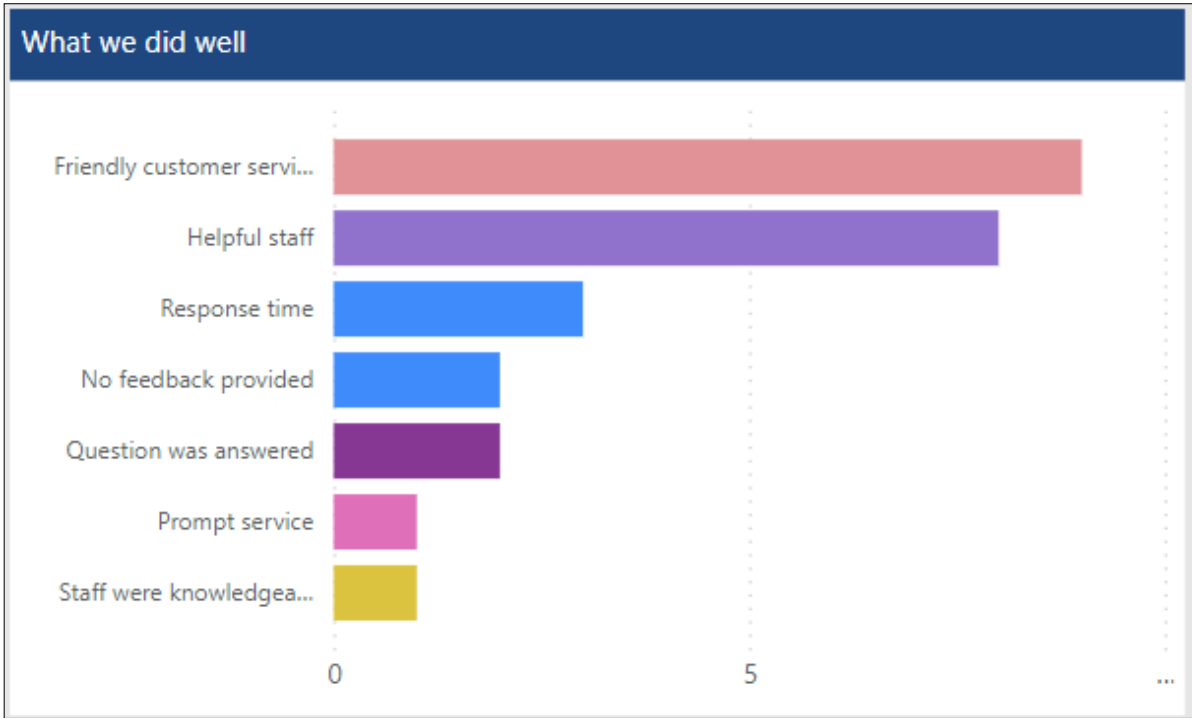
5.4. Customer Service:

5.4.1. The following graph shows the breakdown of customer sentiment for inbound and outbound calls to Council's Customer Service during May:



The following graph details the customer feedback received by Council during May:





5.5. Parking:

5.5.1. Parking statistics:

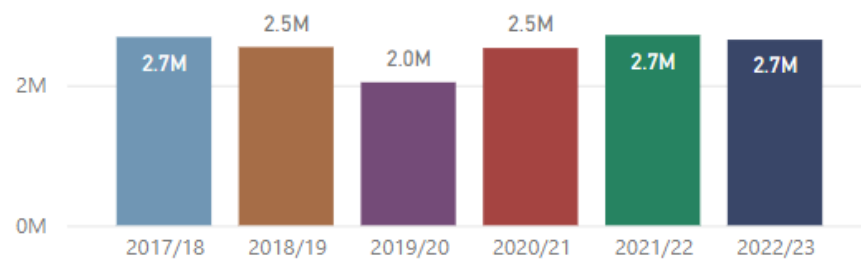
Budget v Revenue Period to Date



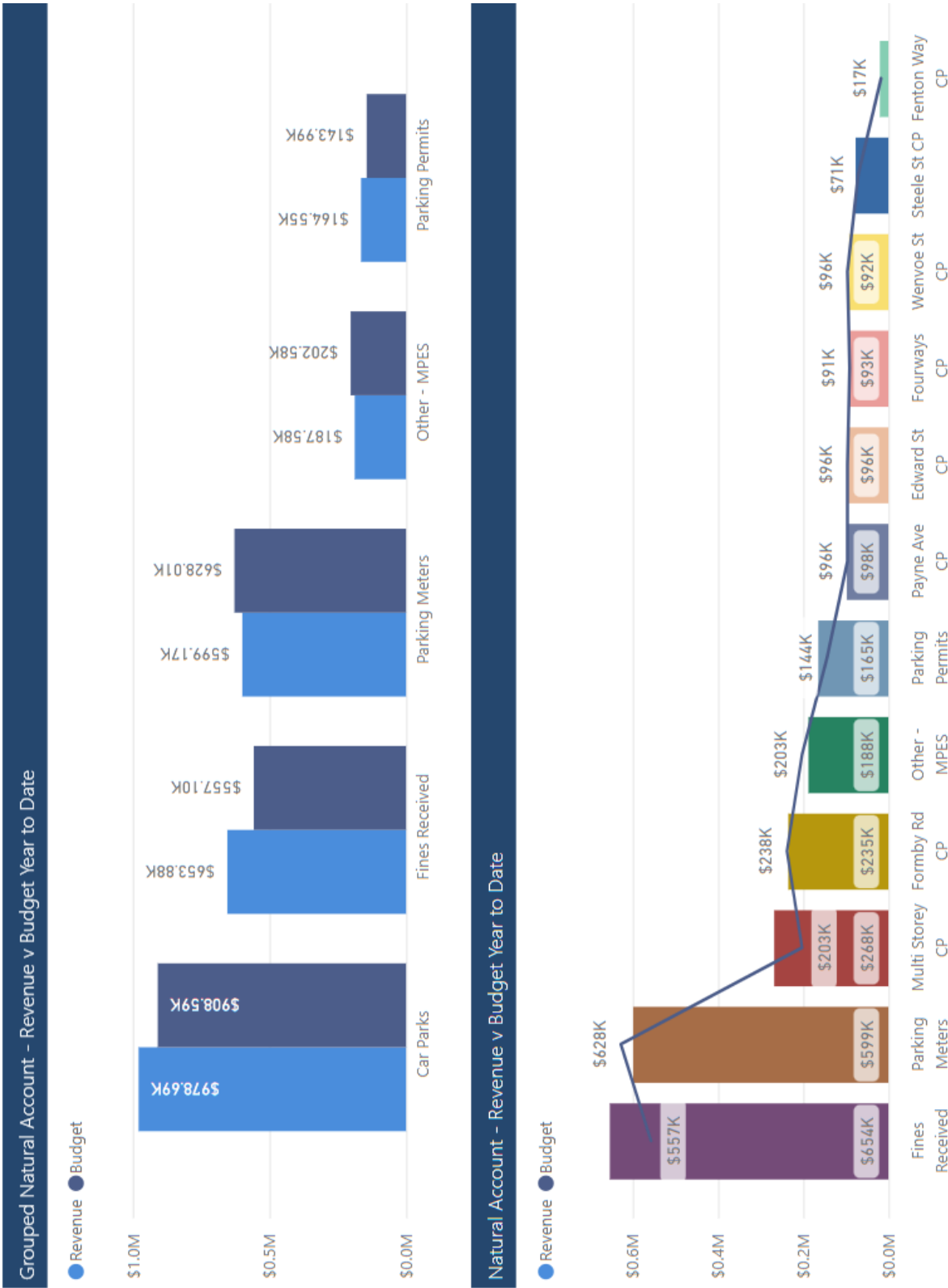
Revenue/Budget Period to Date

Description	Budget \$	Revenue \$	Variance \$	Variance %
Fines Received	\$557,104.11	\$653,875.07	\$96,770.96	17%
Parking Meters	\$628,008.39	\$599,165.35	(\$28,843.04)	-5%
Multi Storey CP	\$202,583.37	\$268,110.49	\$65,527.12	32%
Formby Rd CP	\$238,035.38	\$234,963.66	(\$3,071.72)	-1%
Other - MPES	\$202,583.37	\$187,582.37	(\$15,001.00)	-7%
Parking Permits	\$143,985.38	\$164,551.86	\$20,566.48	14%
Payne Ave CP	\$96,227.12	\$97,640.02	\$1,412.90	1%
Edward St CP	\$96,227.12	\$96,201.76	(\$25.36)	-0%
Fourways CP	\$91,162.50	\$92,952.15	\$1,789.65	2%
Wenvoe St CP	\$96,227.12	\$92,034.54	(\$4,192.58)	-4%
Steele St CP	\$70,904.13	\$76,819.20	\$5,915.07	8%
Fenton Way CP	\$17,219.62	\$19,966.19	\$2,746.57	16%
Total	\$2,440,267.61	\$2,583,862.66	\$143,595.05	6%

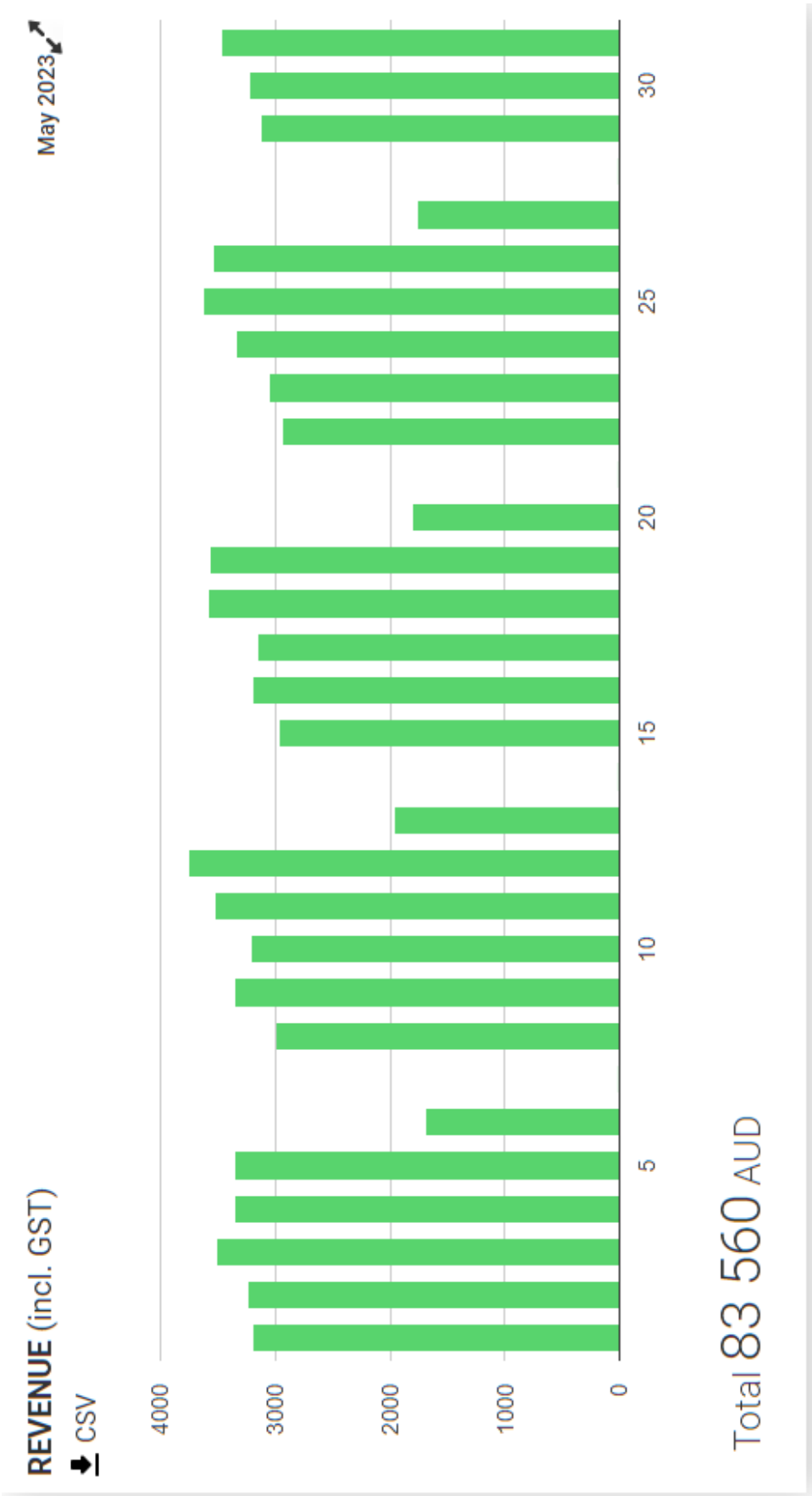
Previous Years Revenue



5.5.2. Revenue (Revenue v Budget – type breakdown; location breakdown):

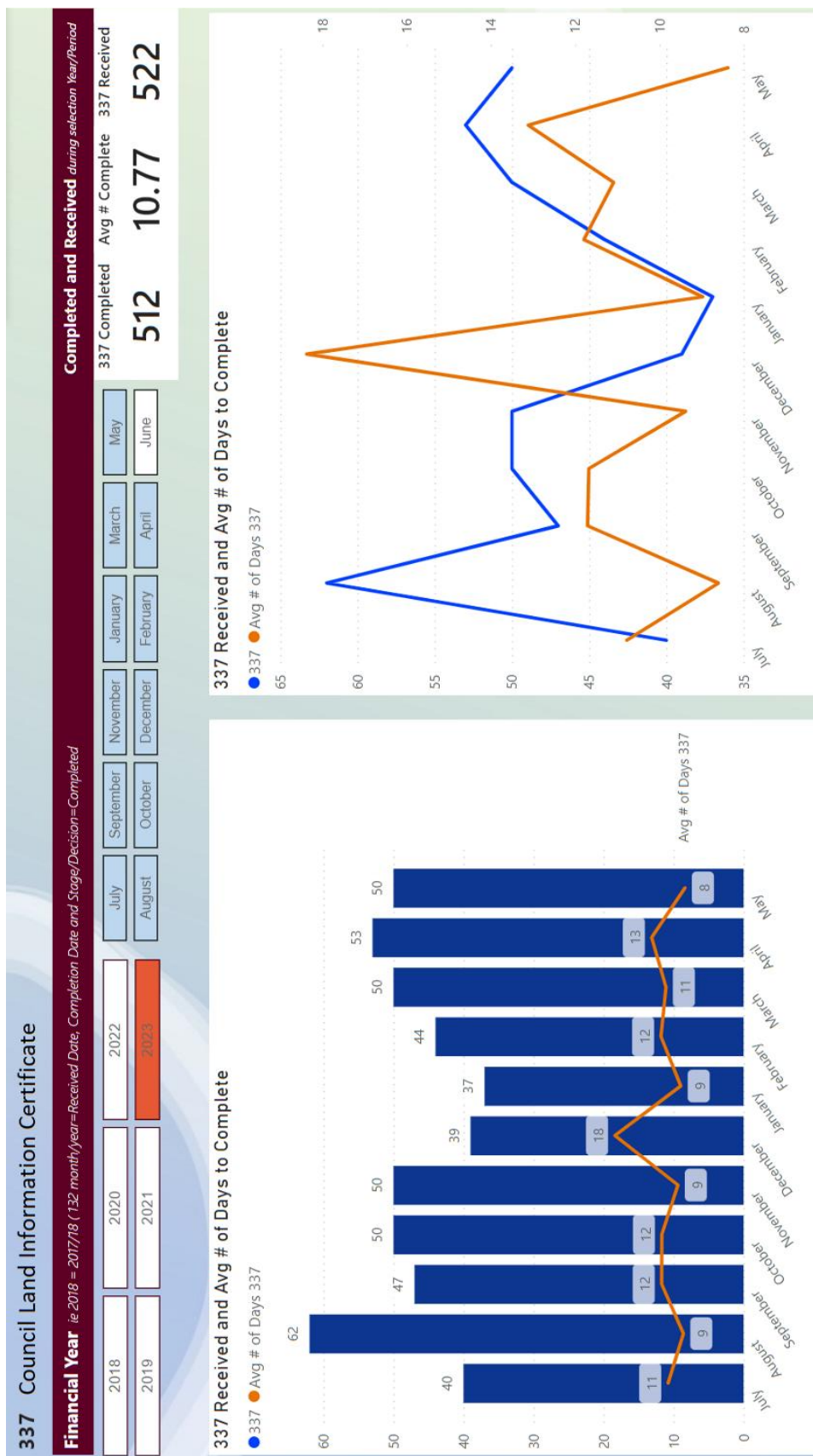


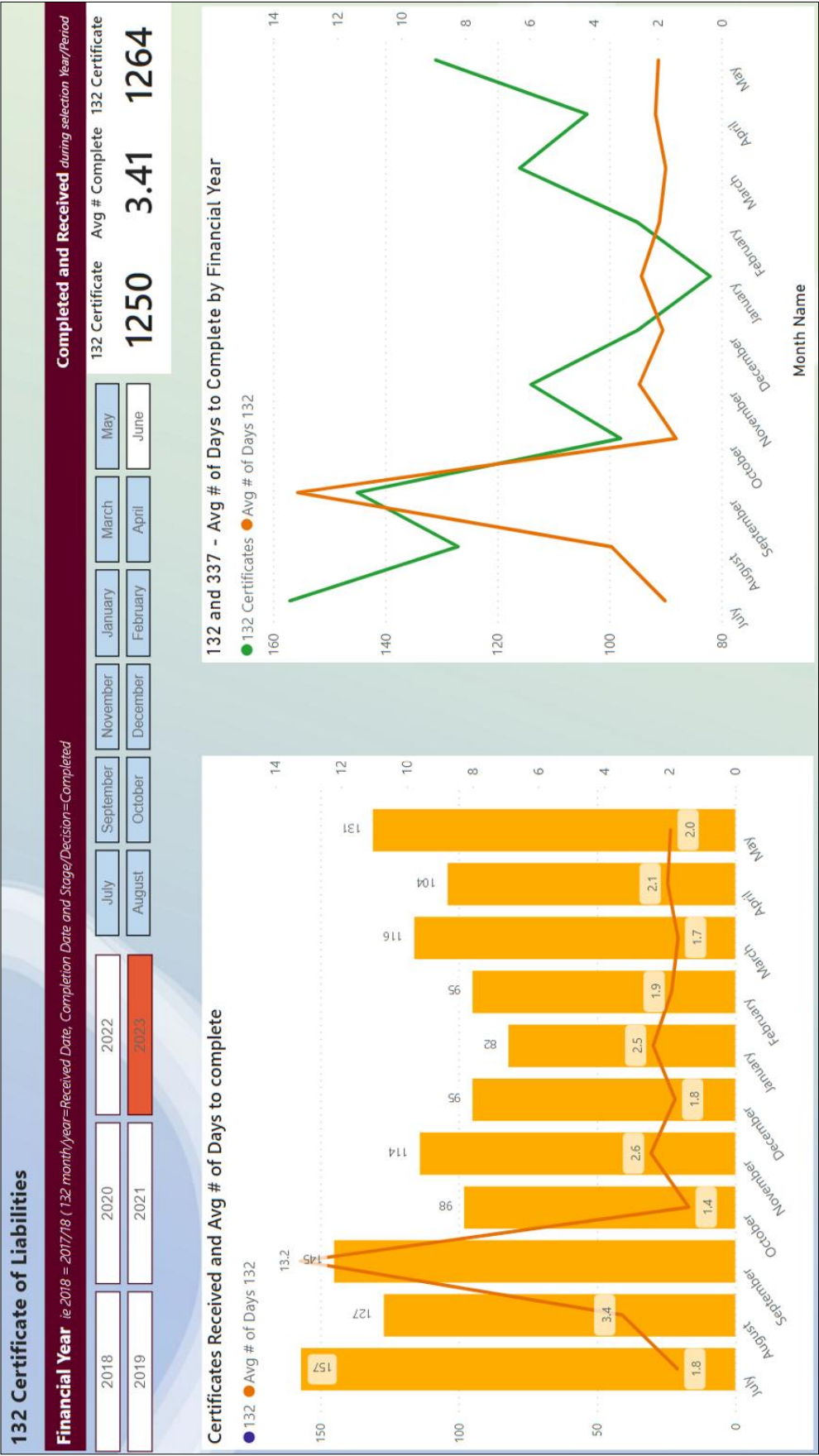
5.5.3. EasyPark statistics



Section 132 & 337 Certificates:

5.5.4. Statistics on completed certificates:





5.6. Digital Transformation:

5.6.1. Several Council officers have commenced early trials of various Artificial Intelligence solutions. These trials are proving to be very successful. A coordinated approach to the introduction of AI throughout Council is currently in the planning phase. Some of the anticipated benefits for Local Government include, but are not limited to:

- 5.6.1.1. Data-driven decision making: AI can enable Council to collect, analyse, and interpret vast amounts of data from various sources. This data-driven approach will assist administrators with making informed decisions based on accurate insights and predictions.
- 5.6.1.2. Improved efficiency and automation: AI technologies, such as machine learning and robotic process automation are being used within Council to automate routine tasks and streamline administrative processes. This frees up human resources and allows employees to focus on more complex and strategic activities.
- 5.6.1.3. Cost savings: Council continues to automate manual processes, reducing operational inefficiencies, and optimising resource allocation, AI will help Council save costs in the long run.

5.7. Annual Plan Action Update:

5.7.1. Current Status as at 31 May 2023:



5.7.2. Action Highlights:

Develop a Community Health and Wellbeing Strategy

The Living Well – Devonport Health and Wellbeing Strategy 2022-2023 was adopted by Council at its April meeting. The implementation of the Strategy will be led by the Strategy Steering Group comprised of community stakeholders. The six focus areas: Eating Well; Moving Well; Being Well; Learning Well; Connecting Well and having a strong sense of Belonging form the basis of the ten-year health and wellbeing plan “Living Well” which will build on change that is already occurring and our strengths to achieve positive health and wellbeing outcomes for our entire community.

Develop a Workforce Development Strategy

The final draft Workforce Development Plan is currently under review prior to adoption.

Prepare for the introduction of a residential FOGO collection and upgrades to the Waste Transfer Station to maximise waste recovery

Analysis of service delivery options for kerbside FOGO collection was completed during March-April 2023 and a report was taken to the May 2023 Council Meeting detailing the FOGO servicing options. Council endorsed its commitment to participate in the Cradle Coast Waste Management Group regional collection contract. The Waste Transfer Station Upgrade design phase has substantially commenced and will continue into next financial year with construction likely to commence late 2023.

6. COMMITTEES, AUTHORITIES & EXTERNAL ORGANISATIONS:

6.1. Minutes:

The following minutes are provided as attachments to this report:

- PAC Minutes from meeting of 5 June 2023

COMMUNITY ENGAGEMENT

This report includes information that relates to community engagement undertaken in relation to operational activity.

FINANCIAL IMPLICATIONS

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

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

RISK IMPLICATIONS

Any specific risk implications have been outlined in the commentary included as part of this report. Any specific risk that is identified as an issue for Council would result in a separate report to Council.

CONCLUSION

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

ATTACHMENTS

1. Minutes- Planning- Authority- Committee-5- June-2023 [**6.4.1** - 9 pages]
2. 20230531 Consolidated Financial Report- Council Meeting [**6.4.2** - 10 pages]

7 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 May 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)

8 CLOSURE