



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 Council Chambers, on Monday 23 July 2018, commencing at 5:30pm.

The meeting will be open to the public at 5:30pm.

QUALIFIED PERSONS

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

Paul West
GENERAL MANAGER

18 July 2018

August 2018

Meeting	Date	Commencement Time
Infrastructure Works & Development Committee	13 August 2018	5:30pm
Council	27 August 2018	5:30pm – East Devonport Recreation and Function Centre

**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 23 JULY 2018 AT THE COUNCIL CHAMBERS AT 5:30PM**

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Agenda of an ordinary meeting of the Devonport City Council to be held at the Council Chambers, Fenton Way, Devonport on Monday, 23 July 2018 commencing at 5:30pm.

PRESENT

		Present	Apology
Chair	Ald A L Rockliff (Acting Mayor)		
	Ald L M Perry (Acting Deputy Mayor)		
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald A J Jarman		
	Ald L M Laycock		✓
	Ald J F Matthews		
	Ald T M Milne		

ACKNOWLEDGEMENT OF COUNTRY

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

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

The following apology was received for the meeting.

Ald L M Laycock	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 25 JUNE 2018

RECOMMENDATION

That the minutes of the Council meeting held on 25 June 2018 as circulated be confirmed.

3.2 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 159/17 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 2 questions per person are permitted.
 6. A maximum period of 3 minutes will be allowed per person.
 7. If time permits, a third question may be asked once all community members who wish to ask questions have done so. A time limit of 2 minutes will apply.
 8. Questions are to be succinct and not contain lengthy preamble.
 9. Questions do not have to be lodged prior to the meeting, however they will preferably be provided in writing.
 10. A question by any member of the public and an answer to that question are not to be debated.
 11. Questions without notice and their answers will be recorded in the minutes.
 12. 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.
 13. 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.
 14. 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.
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3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

File: 27452 D508414

Responses to questions raised at prior meetings are attached.

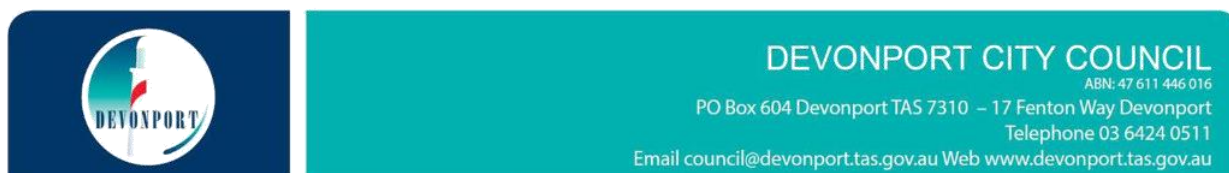
ATTACHMENTS

1. Response to Tony Butler - Public Question - Council Meeting June 2018 - Pioneer Park
2. Question Without Notice - 25 June 2018 - Response to Trevor Smith re 3 Victoria Street

RECOMMENDATION

That the responses to questions from Mr Tony Butler and Mr Trevor Smith at the 25 June 2018 Council meeting be noted.

Author:	Paul West
Position:	General Manager



28 June 2018

In reply please quote:
File 34407

Mr Tony Butler
2 Drew Street
EAST DEVONPORT TAS 7310

Dear Tony,

QUESTIONS WITHOUT NOTICE – 25 JUNE 2018

I refer to your question raised at the Council meeting on 25 June 2018 and provide the following response.

Q Would Council be able to install a light or something in there? (Pioneer Park)

Response

Currently, there are no plans to install lighting at Pioneer Park, however Council reviews the need to upgrade and renew public lighting annually, in accordance with the Public Lighting Strategy.

Council has recently adopted the Pioneer Park Master Plan 2018-2028. This plan was developed in consultation with community organisations, residents, and the broader community in the form of workshops and surveys. One of the key principles of the Master Plan is improving safety and amenity for all park users. Several actions have been identified to achieve this principle.

The Pioneer Park Master Plan and the Public Lighting Strategy are available for viewing on Council's website.

Yours sincerely

A handwritten signature in black ink that reads 'Paul West'.

Paul West
GENERAL MANAGER

Enquiry Officer: Jacqui Surtees
Direct Line: 0364 24 0560





DEVONPORT CITY COUNCIL

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29 June 2018

In reply please quote:
File 21043

Mr Trevor Smith
7 Glen Court
DEVONPORT TAS 7310

Dear Mr Smith,

QUESTIONS WITHOUT NOTICE – 25 JUNE 2018

I refer to your question raised at the Council meeting on 25 June 2018 and provide the following response.

- Q** When will the sunken road at 3 Victoria Street Devonport be fixed? This section of the street is between 50 and 60mm below the roadway and 3 metres long. It has been like this for at least 2-3 years and no repairs have been made, yet Council vehicles travel this street weekly.

Response

The northern end of Victoria street is scheduled for renewal in 2019-20 and is identified in Council's forward capital works program. The road is generally in poor condition throughout the section, with many defects. However, Victoria Street is a low traffic road, so deterioration is slow. This should mean that the road will remain serviceable without undertaking any maintenance before the renewal project begins. The pavement and seal will continue to be monitored as the assets approach end of life.

Yours sincerely

Paul West
GENERAL MANAGER

Enquiry Officer: Jacqui Surtees
Direct Line: 0364 24 0560

*The City with Spirit*

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

File: 27452 D501464

At the time of compilation of the agenda no questions on notice from the public were received.

ATTACHMENTS

Nil

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Executive Assistant General Management	Position:	General Manager

3.2.3 Question without notice from the public

3.3 QUESTIONS ON NOTICE FROM ALDERMEN

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

3.4 NOTICES OF MOTION

3.4.1 DEDICATION - MARY BINKS - NOTICE OF MOTION - ALD A J JARMAN

File: 14510 D535745

In accordance with Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*, a notice of motion has been received from Alderman A J Jarman.

ATTACHMENTS

Nil

MOTION

"That Council at a future Workshop discuss opportunities to formally recognise the contribution the late Mary Binks OAM made to the community of Devonport."

SUPPORT

I would like my fellow Aldermen to consider on how we might find an appropriate way to honour the late Mary Binks OAM, with either naming a room after her at the new Council office or a space in the Living City development including a history of all that Mary accomplished during her time in Devonport.

This is not just for the fact that Mary Binks was our first female Mayor as well as Deputy Mayor and Alderman but all that she did for the community during her time here. I had the honour of meeting the late Clarrie Byrne previously to gain information about Mary to nominate her for Devonport Citizen of the Year which she was awarded in 2008. Mary was also awarded an OAM in 2005.

Mrs Binks founded the Gran's Van soup kitchen in Devonport and was named on the Tasmanian Honour Roll of Women in 2005 for service to the community.

A woman of Catholic faith, she chaired the committee which produced the Working it Out Report dealing with the issues for young homosexual people in rural areas and was a member of the Cradle Coast Authority.

The former librarian was inaugural president of the Devonport Branch of the National Council of Women.

She was State convenor of the Tasmanian Women's Consultative Council and vice-president of the Tasmanian Local Government Association, plus she had many other leadership roles.

Mrs Binks was president of the Tasmanian Branch of the Australian Local Government Women's Association and a Life Member.

She was a member of the Tasmanian Library Advisory Board, Tasmanian Heritage Council, the Local Government Review Board, and the advisory board for the North West Rural Palliative Care Project.

Mrs Binks was State president of the Catholic Women's League, executive officer of the State Penguin Club, inaugural member of the Devonport Police and Citizens Youth Club, pensioner groups, and vocational education and training.

Mrs Binks also contributed to the development of the Tasmanian Plan for Positive Ageing.

I certainly believe that Mary Binks was an exceptional community minded citizen of Devonport and deserves to be honoured and remembered for her services to this city. I would like to see her name placed somewhere prominent so that the public can be reminded what an amazing woman she was.

OFFICER'S COMMENTS

Through a recent Workshop briefing, Aldermen were advised of the naming convention for rooms within the paranable centre. The signage strategy for the new building has been finalised and the room names are currently being produced, with names based on Devonport suburbs.

3.4.2 REVIEW OF PARKING PERMIT SYSTEM - NOTICE OF MOTION - ALD T M MILNE

File: 33929 D535825

In accordance with Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*, a notice of motion has been received from Alderman T M Milne.

ATTACHMENTS

Nil

MOTION

"That until a review of the parking permit system is completed and alternatives have been found to equitably meet the needs of those using Pensioner Parking booklets, that in the interim, those who are disadvantaged by having to pay to use PAYL parking and are not able to use their voucher booklets are entitled to a refund from Council on presentation of the correctly filled out voucher book, stating time, and location of parking. The refund will only be to the equivalent of the free parking voucher and must be made in person at Council office."

SUPPORT

Presently those who hold a Devonport City Council Parking voucher booklet are unable to use the booklet in PAYL car parks; Best Street and the Multi-level Carpark. This unfairly disadvantages these people financially. Some of the people who have these vouchers have an income of between \$40-\$60 a day. If we are serious about providing a service to these vulnerable people, then it should be with fairness and equity and they are not disadvantaged in where they can park for free. Although they have limited incomes they are still a valuable economic resource to the Devonport Community, spending their limited incomes in our retail outlets.

Financial implications to Council.

1. As the vouchers are already factored into Council parking there is no financial loss to this budget area so will be no negative impact in this area.
2. There will be some time used by counter staff to process these refunds which may impact on work load.

OFFICER'S COMMENTS

At present there are two PAYL car parks:

- Best Street (adjacent to Harris Scarfe)
- Multi-Level CBD

Following the decommissioning of the Best Street carpark there will going forward only be one PAYL carpark in Devonport. The current 'Concession Voucher Booklet Scheme' is able to be used in all other car parks and on-street meters.

To offer a refund service will likely be problematic, particularly as we transition to Service Tasmania taking payments on behalf of Council on the Ground Floor. A refund service for parking fees would need to be administered from the Council office which will be located on Level 2 of the building.

Any refund request scheme put in place from an audit perspective should be accompanied by a receipt for the actual costs incurred and accompanied by the sighting of the Concession Voucher Booklet.

It is acknowledged the issue of the Concession Voucher Booklets is problematic insofar as it has created an overly complicated manual system which is not only costly to administer but has been further compounded with the introduction of PAYL technology. An additional manual process will likely add to this.

The 2018/19 Annual Plan includes an action to 'investigate opportunities to improve the Concession Voucher Booklet Scheme which currently operates'.

4.0 PLANNING AUTHORITY MATTERS

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

5.0 REPORTS

5.1 TENDER REPORT CONTRACT CT0220 SOUTHERN ROOKE STREET RENEWAL

File: 35243 D532469

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.3.1 Provide and maintain roads, bridges, footpaths, bike paths and car parks to appropriate standards

SUMMARY

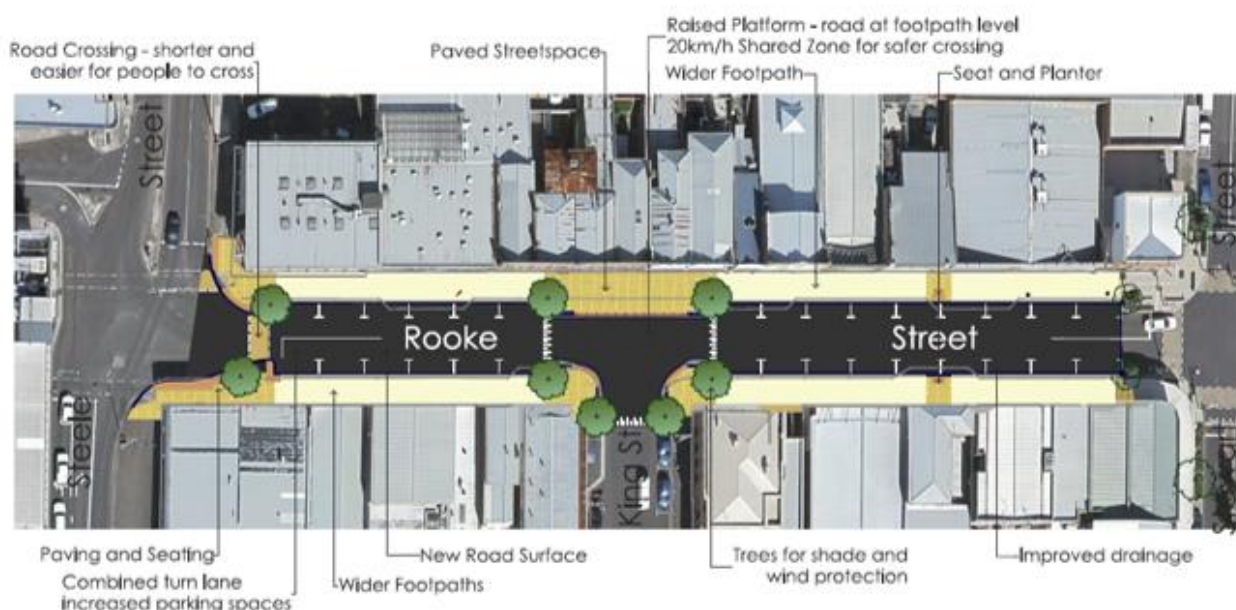
This report seeks Council's approval to award Contract CT0220, Southern Rooke Street Renewal to Kentish Construction & Engineering Company Pty Ltd trading as Treloar Transport for a lump sum of \$796,635.

BACKGROUND

This report considers tenders received for "Southern Rooke Street Renewal".

This project involves the full renewal and upgrade of streetscaping in Rooke Street between Steele Street and Stewart Street. Features of the project include:

- New wider footpaths constructed with exposed aggregate concrete and stone pavers
- Addition of trees and plantings to the streetscape
- A raised intersection at King Street to slow traffic and provide safer crossing points
- New asphalt seal
- New street furniture and street light poles
- An increase of 9 parking spaces
- All materials in accordance with Council's streetscape guidelines



The scope of work was developed following stakeholder consultation and a number of Council workshops.

Report to Council meeting on 23 July 2018

At its April 2018 meeting, Council determined (Min IWC 61/18 refers):

"... that the report of the City Engineer on the southern Rooke Street renewal be received and that Council:

- a) progress with the design, consultation and preparation of contract documents based on the full asset renewal option (option 3);
- b) make a \$1,000,000 budget allocation in the 2018-19 capital works program); and
- c) note that an allocation of approximately \$100,000 will be required in the 2018-19 operational budget for a write-off of existing assets."

Additionally, in the 2018-19 capital works program, a \$100,000 allocation was made for renewal of Council's stormwater infrastructure in southern Rooke Street, recognising that it is most cost effective and least disruptive to do this work in conjunction with the proposed street renewal project.

STATUTORY REQUIREMENTS

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

DISCUSSION

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

Tenders were received from five companies. All tenders received were conforming tenders and are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Kentish Construction and Engineering Company Pty Ltd (trading as Treloar Transport)	Conforming	\$796,635
2	ATM Construction Pty Ltd	Conforming	\$836,680
3	Civilscape Contracting Tasmania Pty Ltd	Conforming	\$869,097
4	CBB Contracting Pty Ltd	Conforming	\$893,886
5	Hardings Hotmix Pty Ltd	Conforming	\$1,455,436

The Tender Planning and Evaluation Committee have considered the tenders against each of the selection criteria, these being:

- Relevant Experience
- Quality, Safety and Environmental Management
- Methodology
- Price

The weighting of these criteria was set based on the specific requirements of this project, namely limiting the disruption to businesses through programming and staging of the work and ensuring communication regarding the project is adequate throughout the construction phase.

The evaluation by the committee indicates that Kentish Construction & Engineering Company Pty Ltd scored highest overall against the selection criteria and therefore offers Council the best value for money.

Report to Council meeting on 23 July 2018

The tender documentation allowed tenderers to nominate to undertake the work in one of two construction 'windows', avoiding the Christmas shopping period, which was a major concern for stakeholders. Kentish Construction & Engineering Company Pty Ltd nominated to utilise the second construction window, commencing work in January 2019 and completing work in April 2019. However, some minor works are required in 2018 to take advantage of the scheduled temporary closure of one business.

The Tender Planning and Evaluation Committee minutes are available for Aldermen to view if desired.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 26 May 2018 and tenders were also advertised on Council's website.

Stakeholder consultation began in January 2018 with property owners and businesses and is ongoing. Whilst there is a wide variety of opinions regarding the project, this stakeholder group has been kept informed throughout the project to date.

The concept design for the project was released to the public on 7 May 2018 and was reported in the Advocate Newspaper on 8 May 2018.



Impression of streetscape released in May 2018

Ongoing communication with key stakeholders and the general public before and during the construction phase will be vital to the successful delivery of the project.

FINANCIAL IMPLICATIONS

The 2018/19 capital works program includes an allocation of \$1,100,000 for this project, which is comprised of \$1,000,000 for the Southern Rooke Street renewal project and \$100,000 for the stormwater renewal project. The tender received from Kentish Construction and Engineering Company Pty Ltd is \$796,635.

The breakdown of the estimated expenditure for this project is summarised in table 2.

TABLE 2

No.	Tender	Price (ex GST)
1	Contract CT0220	\$796,635
2	Project management	\$30,000
3	Telstra relocation works	\$54,035
4	DSG (traffic signal works)	\$40,000
5	TasWater works	\$5,000
6	Tasnetworks	\$13,000
7	Purchase pavers	\$35,400

Report to Council meeting on 23 July 2018

8	Purchase trees and shrubs	\$6,500
9	Parking Meter Purchase	\$15,000
10	Light Pole Purchase	\$36,500
11	Street Furniture Purchase	\$8,525
13	Construction contingency	\$119,500
	TOTAL	\$1,160,095

Note that an allocation for the cost of design for this project was made in the 2017-18 capital works program and is therefore excluded from table 2.

Certain materials required for this project will be procured by Council directly. These items, including pavers, light poles, parking machines and street furniture are available from a single supplier only and some have long lead times from order to delivery.

The complexity of this project creates a moderate risk for unforeseen costs. Therefore, the contingency allowance has been set at 15% of the contract amount.

If the full contingency is required, the forecast over budget expenditure on this project is \$60,095.

RISK IMPLICATIONS

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

CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Kentish Construction and Engineering Company Pty Ltd meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0220 Southern Rooke Street Renewal.

ATTACHMENTS

Nil

RECOMMENDATION

That Council in relation to CT0220 Southern Rooke Street Renewal:

- a) award the contract to Kentish Construction and Engineering Company Pty Ltd for the tendered sum of \$796,635 (ex GST);
- b) note that utility services and pre-purchased material costs are estimated at \$213,960 (ex GST);
- c) note that project management cost for the project are estimated at \$30,000 (ex GST); and
- d) note a construction contingency of \$119,500 (ex GST) is included, which if fully utilised will result in over budget expenditure of \$60,095 (ex GST).

Author:	Shannon Eade	Endorsed By:	Matthew Atkins
Position:	Project Management Officer	Position:	Deputy General Manager

5.2 FINANCIAL ASSISTANCE GRANT REQUEST MERSEY YACHT CLUB OCEANIA AND AUSTRALIAN LASER CHAMPIONSHIPS

File: 35020-07 D535634

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.7.3 Attract and promote equitable distribution and sharing of financial and other resources throughout the community

SUMMARY

For Council to consider an application by Mersey Yacht Club for a Major Community Financial Grant (refer attachment) to assist with the preparation and delivery of the Oceania and Australian Laser Championships, to be held in Devonport in January 2019.

BACKGROUND

The Mersey Yacht Club (MYC) has been in operation since 1923 with the current clubhouse facility on the banks of the Mersey River at East Devonport constructed in 1972. The MYC has strong links with Devonport's maritime heritage conducting regular summer and winter sailing seasons and hosting numerous State and National Titles.

The land occupied by the current clubhouse is owned by Crown Land and leased to the Mersey Yacht Club.

In mid-2017, the MYC in association with the Tasmanian District Laser Association (TDLA) were successful in securing the 2019 Oceania and Australian Laser Championships which will take place in Devonport from 1-9 January 2019. The 2019 Oceania competition, a 100-point ranking world event which counts towards admission into World and Olympic events, will see the event held outside of Hobart for the first time since 1975. Tasmania usually hosts the competition every six years.

The MYC was selected by the TDLA board to host the 2019 event due to its convenience for both air and sea travel and for the quality of Bass Strait as a fair, testing and unique race track.

The 2019 event is expected to attract more than 200 competing boats from 14 different countries. Laser dinghies are a 4.23-metre-long, one-person craft. The current and previous Olympic Men's Laser champions are Australian, highlighting the quality of competition in Australia and subsequent interest in the sport. Additionally, 150 plus supporters, officials and volunteers are expected to be involved in the event with the majority of competitors and supporters residing outside of the Devonport municipality.

STATUTORY REQUIREMENTS

Any grant or benefit provided is to be recorded in Council's Annual Report in accordance with Section 77 of the *Local Government Act 1993*. The financial information provided by the Club has been provided as a confidential attachment.

DISCUSSION

The MYC and TDLA presented to the June 2018 Workshop an overview of the event and a request for financial assistance for infrastructure improvements at the boat ramp together with staff advice and assistance on site in advance of and during the event.

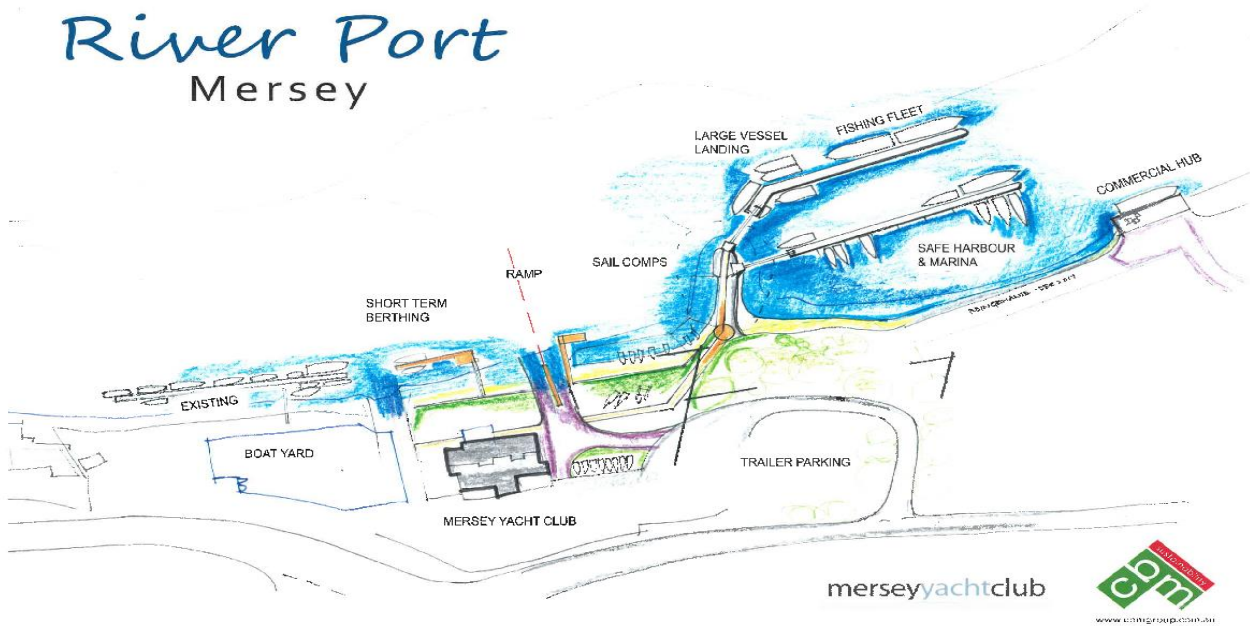
Report to Council meeting on 23 July 2018

Council recreation and events staff had attended a meeting in July 2017 with MYC and TDLA members to hear information about the event. At this meeting Council staff provided the committee with information on Council's funding programs and event approval processes.

Due to the limited timeframe until the event and the expectation that works will need to be completed in September/October 2018, Council advised the appropriate avenue for assistance would be through Council's next round of the Financial Assistance Grants Program.

The current round, which closes on 31 August 2018, is due to be presented to Council for consideration at its September meeting. This timeframe may not sufficiently allow for works to be scheduled and completed prior to the event, therefore it is appropriate that this request be considered by Council in advance.

The MYC financial assistance grant request identifies the completion of stage 1 of a longer-term multi-stage marina redevelopment, as imperative to the safe and successful delivery of the 2019 event. The total project is estimated to cost \$195,000 and includes short term and long-term berthing marinas to the North of the current facility. The total project is subject to lease negotiations with TasPorts and securing future funding.



Report to Council meeting on 23 July 2018

Stage 1 of the project, costed at \$49,000 includes:

- Removal of existing fixed finger and piles which have been condemned and excavation of the northern bank of the current ramp to allow for a floating pontoon.



- Foreshore grooming to remove broken concrete left by flood damage and removal of oyster shells and spread of rocks and sand to improve safety underfoot.



- Expand foreshore access with additional 10 metre concrete ramp to the north of the existing ramp



The MYC have also requested as part of this grant that Council provides \$1,800 in-kind to cover the hire fee of the paranable convention centre to allow them to host their awards presentation night at the conclusion of the event.

The stage 1 upgrade works will also provide additional benefits to the wider community with improved access to the water for sail training programs and other users of the facility including the Dragons Abreast, Devonport's local Dragon Boat Club who use the facility weekly. The MYC have also indicated that with an improved water access, it is willing to allow general public access to the ramp for launching and retrieving, currently there is no boat ramp in East Devonport.

It is important to note that during the June presentation MYC also requested that in-kind assistance be provided by Council works, planning and event staff to provide services and assistance with a variety of tasks including access road improvements and tourism information. Any in-kind assistance not included as part of this grant application will need to be assessed on request and will be determined by the capacity of Council resources.

MYC have previously stated that this event will provide a significant level of interest from the media and the worldwide sailing community. MYC and TDLA have advised that they have secured funding from Events Tasmania to assist with the logistics of delivering the event although Events Tasmania do not fund infrastructure upgrades.

The event will also include marquees and an event centre at the clubhouse, encouraging locals to participate in music, food and beverage activities. There will also be opportunities to watch the racing from the Mersey Bluff and foreshore area.

Council are awaiting acquittal of both 2017 and 2018 financial assistance grants provided to the MYC. In line with the Community Grant Guidelines, the approval of a new grant cannot be finalised until acquittal conditions for previous grants have been met.

COMMUNITY ENGAGEMENT

There has been no specific community engagement in relation to the request for funding. Council's Community Grant Program under adopted guidelines and procedures are advertised twice per year.

FINANCIAL IMPLICATIONS

Any grant provided would be funded from the Community Financial Assistance funding pool - \$65,000 for small/medium grants, and \$75,000 for major grants. Council's *Financial Assistance Policy* states that once the budgeted amount allocated for Financial Assistance has been distributed no further allocations will be made available in that financial year. Therefore, any funding provided to MYC as part of this application has the likelihood of reducing the amount available to any other applicants.

Council's Community Grant Guidelines (refer attachment) state that for Major Grants an amount up to a maximum \$25,000 can be paid. For funding requested from Council within the range of \$15,001-\$25,000 a co-funding amount of 75% of project costs obtained from another source/s is required.

RISK IMPLICATIONS

The main risk in relation to this funding request is that it is being considered outside of the established guidelines for other community groups/organisations.

The request is for an amount in excess of the usual grant allocations provided under the grant scheme.

The MYC may be dissatisfied should Council determine not to offer to provide a grant and/or if it does the quantum of the grant may not be acceptable to them.

CONCLUSION

The Mersey Yacht Club is an important fixture on the banks of the Mersey River and would benefit visually and functionally from the required upgrades which in turn will increase the visual appeal of the site and has the potential to attract increased activity in the future.

It must be noted though, that within the guidelines of Council's Community Grants Program funding is limited to 25% of the total project cost up to a maximum \$25,000. Any approved funding will reduce the pool of funding available to other projects and events as applied for within the funding rounds and priority approval removes the ability to compare this application against others.

Council has been provided with a number of options in the recommendation section of this report to allow the matter to be determined.

ATTACHMENTS

1. Mersey Yacht Club Grant Application July 2018
2. Financials - Grant Application July 2018 Confidential
3. Community Grants Program Guidelines V1.2.1

RECOMMENDATION

That Council:

OPTION A:

approve the request from the Mersey Yacht Club Inc. for 100% of the project cost, \$50,800, as requested, to cover the total cost of Stage 1 works plus the hire of the paranaple convention centre for the events awards evening subject to:

- i) the signing of an Agreement between Council and MYC allowing for public access of the boat ramp;
- ii) acknowledgment of Council as a key sponsor of the event in all marketing material produced and at the event itself; and
- iii) note that this allocation will significantly reduce the funds available for distribution to other community groups/organisations during the 2018/19 financial year.

OPTION B:

in line with its Community Grant Guidelines approve the provision \$12,700 to Mersey Yacht Club (25% of the total cost of Stage 1 works plus the hire of the paranable convention centre for the events awards evening) subject to acknowledgment of Council as a sponsor of the event in all marketing material produced as part of the event.

OPTION C:

in line with its Community Grant Guidelines approve the provision of \$25,000 to the Mersey Yacht Club Inc (25% of the cost of the major long-term redevelopment of the Mersey Yacht Club Marina, capped at the maximum allowed under the Community Grants Guidelines) subject to acknowledgment of Council as a sponsor of the event in all marketing material produced as part of the event; and that no further grants for the project will be forthcoming from Council.

OPTION D:

do nothing at this stage and advise the Mersey Yacht Club that Council will consider the request in line with all other grant applications for round one.

Author:	JoHanna Robertson	Endorsed By:	Paul West
Position:	Marketing and Events Officer	Position:	General Manager

**Devonport City Council
Minor & Major Community Grants
2018/2019 APPLICATION FORM**

SECTION 1 – ORGANISATION DETAILS

1. Full name of Applicant Organisation:

Mersey Yacht Club Inc.

Street Address:

Anchor Drive, East Devonport

Postal Address:

PO Box 591 Devonport 7310 Tasmania

Email:

myc1@iinet.com.au

If your street address is outside of the Devonport local government area, please answer the following:

i) How many members of your organisation are residents of Devonport?

205

ii) What percentage of your organisation's activities are held in Devonport?

100%

2. Contact person for enquiries:

Name: Michael Castles

Position: Manager

Phone: 64278655/0418143626

Email: myc1@iinet.net.au

3. List a principal office bearer in your organisation: (must be different to above?)

Name: Robert Sly

Position: Commodore

Phone: 0457815440

Email: robert.sly@education.tas.gov.au

4. Is your organisation incorporated?

Yes (If yes, attach a copy of the 'Certification of Incorporation' to the application)

No (If no, do you have an Auspice?)

5. Are you applying in your organisation's own right or being auspiced?

Own right: or Auspice organisation

If you are being supported by an auspice organisation, please ask your sponsor to complete questions 6 & 8

Name of Auspice organisation:

N/A

Street Address:

Postal Address:

Name:

Position:

Phone:

Email:

6. Australian Business Number (ABN):

82 294 045 475

(If your organisation does not have an ABN, please complete & sign the attached Withholding Tax Exemption Form)

7. Is your organisation registered for GST?

Yes If successful, you will be required to submit a Tax Invoice for the grant amount plus 10% for GST

No If successful, you will be required to submit an Invoice for the grant amount

8. Does your organisation hold public liability insurance?

Yes No (Please note, public liability insurance is required for events/festivals)

9. How long has your organisation been established?

Since 1923

10. How many members does your organisation have?

214

11. What are the primary services/activities provided by your organisation?

- To promote participation in sailing and yacht racing in a supportive, healthy and friendly manner to the entire community targeting low income earners and making the sport of sailing accessible.
- To provide a well organised range of sailing, racing, training and cruising events specifically aimed at new community groups.
- Provide an enjoyable and inclusive social atmosphere
- Provides a sailing and training precinct with a high quality clubhouse, facilities and partial marina.
- Engages with the community and the natural environment.
- Remains financially viable through responsible management and good governance.

12. Does your organisation currently receive funding from any other source eg. Federal, State, Business Sponsorship, Community Organisation/Service Provider or Self-Generated?

No Yes (Specify the funding body, program and funding provided)

Funding body and program	Recurrent Funding	\$ Amount
Business Sponsorship for racing	yes	\$1,0000

13. Have you made, or do you intend to make, additional application/s for a grant from any other sources for this project or activity? (Council, government, or non-government)

No Yes (Specify the funding body, program, use for funding, and amount.)

Funding body and program	\$ Amount
Events Tasmania rejected the proposal on the basis that they don't fund for capitol works. Unsuccessful.	\$49,0000

14. Please detail your organisation's experience in managing grant funding:
(max 50 words)

We are experienced at running functions, and race events; with over 110 years' experience. Due to the diverse range of members, we have access to a wide variety of resources and are more than capable of managing this type of event. We essentially require additional funding to promote the yacht club, make sailing more accessible to people who may believe it is an elite sport. We also seek to endorse the family friendly club atmosphere.

15. Has your organisation received a grant, sponsorship, rates remission, donation, partnership agreement and/or in-kind support from Council in the last 3 years?

Yes (If yes, please detail) No

Year awarded	\$ Amount	Purpose of grant	Date acquitted
2015/16	\$1,564	Defibrillator	December 2017
2017	\$2,200	Melbourne to Devonport Yacht Race	
2018	\$7,912.49	For sailing support vessel	

SECTION 2 – PROJECT DETAILS

The information provided in this section refers to the project for which you are seeking funding.

16. Name of Project/Event for which you are seeking funding.

Oceania Australian Laser Championships

17. Describe only the project/event/item for which you are seeking funding. (max 150 words)

Item 1: Stage1 works on the MYC boat ramp to remove the existing condemned finger and piles. (Ref: photos) Includes excavation of the northern bank of the ramp to allow for a floating pontoon down the north side of the ramp.
 Item 2: Foreshore grooming to remove broken concrete left by flood damage and removal of oyster shells. These works are necessary to prevent injury to athletes and their boats. Rocks and sand to be spread to make the area safe under foot.(Ref: photos)
 Item 3: Expanding the foreshore access from the northern lawn to handle the large number of boats transitioning to the river. This entails an extra 10 meter concrete ramp.
 Item 3: Awards presentation night presentation dinner to be held at the new Living city conference centre.

18. Please identify the location of the project/event or the address where the item will be situated.

1 Anchor Drive East Devonport northern foreshore of the Mersey River

19. Please identify the date of the event or scheduled completion date of project.

1st to 9th January 2019. Completion of the works by early December 2018

20. Please select the category that your project best fits into?

- | | |
|--|--|
| <input checked="" type="checkbox"/> Community Development | <input checked="" type="checkbox"/> Festivals and Events |
| <input checked="" type="checkbox"/> Community Facilities | <input type="checkbox"/> Economic Development |
| <input type="checkbox"/> Cultural Development | <input type="checkbox"/> Cultural Heritage |
| <input checked="" type="checkbox"/> Sport, Recreation and Healthy Living | |
| <input type="checkbox"/> Other (Please provide details) | |

21. Which target group/s will benefit from your project?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Aboriginal and/or Torres Strait Islander | <input checked="" type="checkbox"/> Children |
| <input checked="" type="checkbox"/> Older persons | <input checked="" type="checkbox"/> Men |
| <input checked="" type="checkbox"/> People with a disability | <input checked="" type="checkbox"/> Women |
| <input type="checkbox"/> Rural and isolated | <input checked="" type="checkbox"/> Young people |
| <input type="checkbox"/> Culturally and linguistically diverse communities | <input checked="" type="checkbox"/> Young Parents |
| <input checked="" type="checkbox"/> Families | <input checked="" type="checkbox"/> Visitors |
| <input checked="" type="checkbox"/> Business | <input type="checkbox"/> |
| <input type="checkbox"/> Disadvantaged (incl. homeless, low income and unemployed persons) | |
| <input type="checkbox"/> Other (Please provide details) | |

22. How does your project contribute to one or more of the grant priorities (refer to guidelines)?

Describe how you determined the need for the project and how the project will benefit the broader community.

(max 100 words)

The Oceania Australian Championships will bring up to 4.7 million dollars into the NW Community with approximately 250 competitors and 500 family and support staff from up to 14 countries for this ten day event. We will have the current Olympic Gold Medallist from Rio competing and past Olympic and world champions. The Australian team will be competing and will bring all their coaches and support equipment. We expect 40 or more support boats.

The current boat ramp has an old fixed finger that is limited to high tide access and has been condemned and needs a floating pontoon for all tidal levels. The MYC needs to do these capitol works to ensure its smooth running..

These works will have long term benefits to our sail training program and ensure a safer access to the water.

Our aim is to also make it safer for the Dragons Abreast Ladies launching their boats, recreational speed boats and tender dinghies for yachts.

The lack of a floating pontoon has resulted over the years in injuries on the boat ramp due to falls. One Dragon Abreast Lady broke her wrist due to falling on the wet ramp. A dry floating pontoon will reduce these risks.

23. Indicate whether this project will require ongoing support. If so, describe how the project will be funded in the future?

(max 75 words)

The boat ramp works Item 1: Stage 1 is part 1 of a redevelopment to a MAST level boat ramp. This project has been designed and costed by TasSpan at \$195,000 dollars. The board of the MYC see this as a long-term project that we will progress with as funding comes available. With our large car park and there currently being no river access for larger recreation vessels on the eastern shore of the Mersey river we see that this will greatly benefit the recreational and yachting fraternity and attract members to the MYC.

24. How will you promote Council's support of your project to the community?

<input type="checkbox"/>	Posters	<input checked="" type="checkbox"/>	Social Media
<input type="checkbox"/>	Flyer	<input checked="" type="checkbox"/>	Newsletter
<input type="checkbox"/>	Brochure	<input checked="" type="checkbox"/>	Website
<input type="checkbox"/>	Signage	<input type="checkbox"/>	Mail Out
<input checked="" type="checkbox"/>	Press Advertising	<input type="checkbox"/>	Film advertising
<input checked="" type="checkbox"/>	Media Release		
<input type="checkbox"/>	Other (Please provide details)		

25. Please detail the budget of the project.

Expenditure / Project Costs	Total Item Cost (incl GST)	Total Item Cost (less GST)
Stage 1 Finger and pile demolition, excavations, foreshore grooming and dinghy ramp access from lawn area. Storm drain cover.	\$	\$49,000.00
Awards Night Venue Rental	\$	\$1,800.00
	\$	\$
	\$	\$
	\$	\$
	Total	\$50,800

Income – ie. Cash Contribution, In-kind Support		
		\$
		\$
		\$
	Total	\$
Grant Amount Sought (This can be a mix of cash and in-kind)		
	Grant sought	\$50,800

If insufficient space, please attach a sheet using similar format as above.

Please note, if your organisation is registered for GST you must apply for the cost of expenditure items less GST as Council will increase the grant amount by 10% to account for GST.

If your organisation is **not** registered for GST, you may apply for the total cost of expenditure items up to maximum allowable amount.

APPLICATION CHECKLIST

- Is your organisation eligible to apply?
- Have you answered all the questions as completely as possible?
- Is the budget section completed, and does it add up?
- Is the application signed by the appropriate authorised representative?
- Have you attached the Certificate of Incorporation?
- Have you attached a copy of your last financial statement?
- If you do not have an ABN, have you completed and signed the Withholding Tax Form?
- Have you attached quotes for any services or products required for the project?
- Have you included any letters of support for your project?
- Have you kept a copy of the application for your own records?

If your application form is submitted late, is incomplete or does not contain all the necessary documentation, it will be ineligible for funding.

Please return completed application to Devonport City Council

Email: grants@devonport.tas.gov.au

Post: PO Box 604
DEVONPORT TAS 7310

Deliver: Customer Service Department
17 Fenton Way, Devonport

DECLARATION

To be signed by the Chair, President, General Manager, or Chief Executive of the applicant organisation.

- I certify that to the best of my knowledge the statements made in this application are true.
- I have read and understand the Financial Assistance Scheme guidelines, frequently asked questions and will adhere to the conditions of the grant in accordance with Devonport City Council's requirements.

Full Name:

Position:

Signature: 

Date: (DD/MM/YY)

DECLARATION OF AUSPICE ORGANISATION

Only complete this declaration where you are being auspiced by another organisation.

I declare that, should funding be approved, I will take full responsibility for the financial management of the grant and will ensure that the project is delivered in accordance with the terms outlined in the funding agreement and that the conditions of funding are met.

Signature: Position:

Print Name:

Date: (DD/MM/YY)

IMPORTANT NOTICE:

Devonport City Council is collecting your personal information so that we can process your request for a Community Grant. We will not disclose your personal information outside of Council unless we are required by law or you have given your consent. However, in order to perform the above functions, we may need to disclose your personal information to relevant, Assessment Panels, Special Interest Groups and Council Committees. By completing and signing this form and returning it to Council, we will consider that you have given us your consent to manage your personal information in the manner described in Council's Privacy Statement and this collection notice.

**DEVONPORT CITY COUNCIL
WITHHOLDING TAX EXEMPTION/DECLARATION**

Recipient/Supplier:

Address:

Postcode:

**Please tick one box
below**

- I declare that I am an individual and the payment is wholly of a private or domestic nature

- I declare that the whole of the payment is exempt from income tax under subdivision 50A of the Income Tax Assessment Act 1997

- I declare that the payment is for goods/services performed as a hobby/personal interest

- I have no reasonable expectation of profit or gain from the activity undertaken and consider that I do not meet the definition of enterprise for tax purposes.

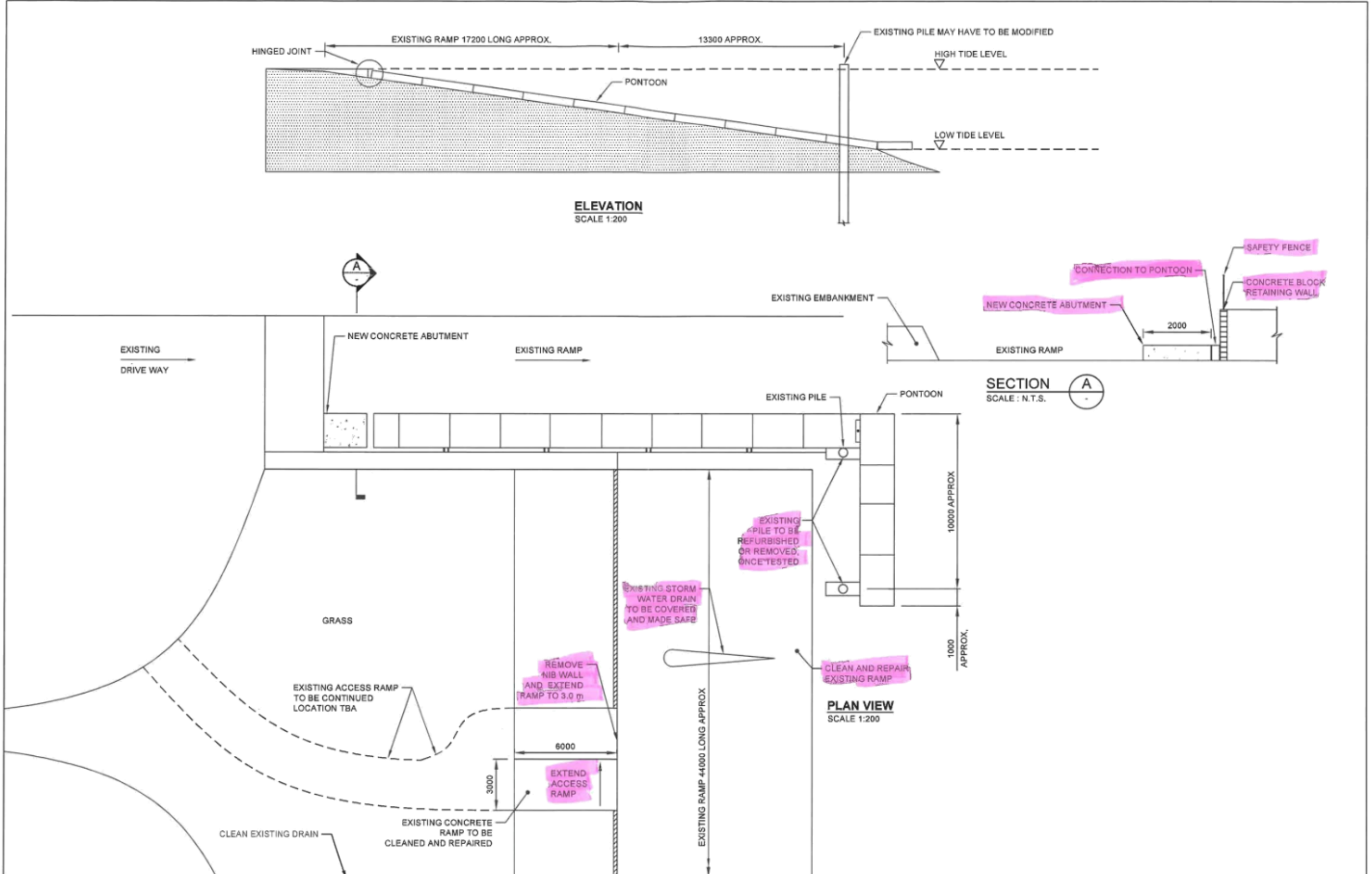
Signature:

Name:

Phone Number: Date:

Note: If Council has reasonable grounds to believe that the above declaration is false or misleading, tax will be withheld from the payment in accordance with Schedule 1 of the Tax Administration Act 1953

ITEM 5.2



<p>Ph: (03) 6428 2720 Fax: (03) 6428 2310</p> <p>PO Box 225 Latrobe Tasmania 7307</p>	Issue:	Date:	Description:	Checked:	Approved:	<p>THIRD ANGLE PROJECTION</p>	<p>PRIVATE PONTOON MERSEY YACHT CLUB EAST DEVONPORT TAS 7310</p>	<p>PONTOON CONCEPT NOT FOR CONSTRUCTION</p>	Drawing:	
	01	30-09-17	ISSUED FOR CONCEPT REVIEW						Scale:	Graphic:
<p>This document is and shall remain the property of Tas Span. It shall be used only for the purpose for which these contributions are made, and only in accordance with the terms of that contribution between Tas Span and their client. If it is to be copied, reproduced, or used to furnish any information for any reason without the prior agreement of Tas Span. Do not scale. Check all dimensions before commencing on site. If in doubt, ask...</p>							Drawn:	Design:	Issue:	Sheet Size:
							Goulburn		STAGE 1	A3













Current details for ABN 82 294 045 475 | ABN Lookup

Page 1 of 1


ABN Lookup

Current details for ABN 82 294 045 475

ABN details

Entity name: MERSEY YACHT CLUB INC
ABN status: Active from 02 May 2000
Entity type: Other Unincorporated Entity
Goods & Services Tax (GST): Registered from 01 Jul 2000
Main business location: TAS 7310

Trading name(s)

From November 2018, ABN Lookup will cease displaying all trading names and only display registered business names. For more information, click [help](#).

Trading name	From
MERSEY YACHT CLUB INC	02 May 2000

Deductible gift recipient status

Not entitled to receive tax deductible gifts

ABN last updated: 01 Jul 2000

Record extracted: 08 Feb 2018

Disclaimer

The Registrar makes every reasonable effort to maintain current and accurate information on this site. The Commissioner of Taxation advises that if you use ABN Lookup for information about another entity for taxation purposes and that information turns out to be incorrect, in certain circumstances you will be protected from liability. For more information see [disclaimer](#).

BRUCE EDWARD HOPE
26 RIVER ROAD
EAST DEVONPORT TAS 7310

For Blasting Purposes Only.
Remove this top section if cleared before blasting.

TASMANIA
Associations Incorporation Act 1964
Section 8

Incorporation Number: 1A09972

Certificate of Incorporation

This is to certify that

**THE MERSEY YACHT CLUB
INCORPORATED**

is, on and from the twenty-seventh day of October 2008
incorporated under the Associations Incorporation Act 1964.

Dated this thirty-first day of October 2008



Assistant Commissioner for Corporate Affairs

Certificate of Incorporation

Department of Justice
100 WATERLOO STREET, HOBART TAS 7000



Australian Laser Class Association

ABN 47 884 970 979
PO Box 5242
Greenwich NSW 2065
Australia

Dear

Oceania and Australian Laser Sailing Championships Devonport 2019

I am Chairman of the Australian and of the Oceania Laser District Associations. I am writing in support of our member organisation the Tasmanian District Laser Association and their efforts in running a premier event the Oceania and Australian Laser Championships for us.

The Oceania and Australian Laser Championships will be held next year between 1 and 8th January 2019 from the Mersey Yacht Club in Devonport.

The Australian Championships are held each year and in 2019 Tasmania will them combined with the Oceania Laser Championships. This event normally attracts around 200 entries with around 25% of them internationals.

In previous years when Tasmania has hosted the Laser National Championships (2013, 2007, 2001, 1994 and 1983) it has been run in Hobart. Not since 1977, when the event has been awarded to Tasmania, has it been held outside Hobart – then it was also held at Devonport. The Tasmanian Laser Class Association who are the organising authority for this event chose Devonport as the venue this time due to its convenience for travel and transport of boats and equipment, its available accommodation and fair, if testing, sailing conditions on Bass Strait.

This is a regional championship which attracts sailors from around the world. For just the second time the event combines the traditional Australian Laser Open and Masters Championships and the Regional Oceania Laser Championships. The Oceania Region is relatively new to Lasers, it having been set up in 2016 to geographically align the Olympic sport of Laser sailing with the International Olympic Council's (IOC) view of the five Continents around the World as described by the five Olympic rings in the Olympic trade mark logo. Oceania is one of those rings.

The Championship has the status of a 100 point ranking world event. These ranking points are used by World Sailing, the sport of sailing's peak body, to rank sailors for admission to World and Olympic events. This Championship will also be the only regatta used to rank Australian sailors applying to enter Open, Under 21 and Youth Laser World Championships in 2019.

About the Laser

The Laser is one of the largest classes of sailing dinghy in the World with over 200,000 having been built and 13,000 sailors actively participating at World, Regional and National events run in 115 countries.

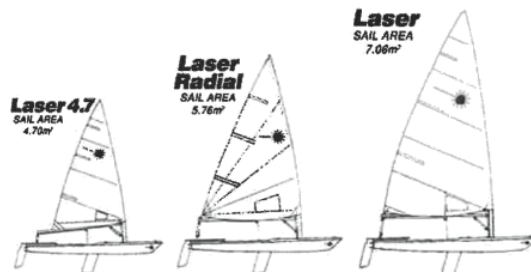
The Laser has been used in the Olympics for men from 1996 (Atlanta) and for women from 2008 (Beijing). The previous and the current Olympic Men's Laser Champions (Tom Burton & Tom Slingsby) are Australian.

The Laser is a one person dinghy whose hull is 4.23 metres long, with a weight of 56.7 Kg. The boat has three rigs to suit sailors from 12 to 75 years of age and with a wide range of body mass and strength. There is more information on the International Laser Class web site at <https://www.laserinternational.org/about-the-laser/the-laser-formula/>

Yours sincerely

Ken Hurling OAM

President
Australian Laser Class Association
14 January 2018



Devonport City Council



The City with Spirit



Community Grants Guidelines

Community Grants Program

Community Grants Guidelines

These guidelines should be read with Council's Financial Assistance Policy. You can view the policy at <http://www.devonport.tas.gov.au/Council/Council-Policies>

Grants for Community Groups

Council values engaged, resilient and inclusive communities that embrace diversity. The Community Grants Program supports community organisations for one-off projects, events and activities through the following grants:

Grant type	Amount	Frequency
Major Grants	Up to \$25,000	Applications assessed twice yearly Closes midnight on the last day of August and February.
Minor Grants	Up to \$3,000	Applications assessed twice yearly Closes midnight on the last day of August and February.
In Kind Assistance Only Grants	Up to \$5,000	Applications assessed every month. Closes midnight on the last day of the month.

Grants for Individuals

These grants support individuals who are performing, competing or representing the Devonport local government area at national or international competitions, conferences and events.

Grant type	Amount	Outcome timeframes
Individual Development Grants	Up to \$100 per individual or \$250 per team	Applications assessed every month. Closes midnight on the last day of the month.

Eligibility for Major, Minor and In Kind Assistance Only Grants

Who can apply for a Major, Minor and In Kind Assistance Only Grant?

Any not for profit community organisations or association that is legally constituted as an incorporated body or under the auspice of one, that:

- Operate within the Devonport local government area or can demonstrate the project or program will benefit residents of the Devonport local government area.
- Have appropriate insurance and adhere to sound workplace health and safety practices.
- Are able to demonstrate financial viability and competence in project execution.
- Have no debt to Council, or have entered into scheduled payment arrangements with Council which are being met.

Effective 25 June 2018

Community Grants Guidelines 1

- Have met acquittal conditions for previous Council grants, and
- For equipment grants, applicants are required to contribute at least 50% towards the cost of the equipment.

If a community organisation is not a legal not-for-profit entity or recognised by the Australian Taxation Office as a not-for profit type, the application must be auspiced and administered by such a group.

Applicants may submit only one grant application per round.

Who cannot apply?

Applications cannot be made by:

- Government agencies or departments of local, state or federal government,
- Educational, religious or medical organisations, where the application is for the organisation's core business,
- Businesses, or
- Organisations who have previously failed to acquit Council assisted projects in line with the agreed terms.

Projects eligible for funding

To be eligible for funding, applications must:

- Demonstrate a purpose that is in the public interest, with significant community need and benefit,
- Demonstrate strong alignment with Council's priorities as described in current Council strategies, plans or policy positions, and
- Adhere to the terms and conditions of this funding program.

Projects not eligible for funding

- Ongoing operational or recurrent costs including salaries, rental or lease arrangements, fuel, administration, cleaning, gardening or insurance.
- Recurrent projects.
- Activities previously disbursed or that have commenced prior to funding being approved.
- The core business of educational, religious or medical organisations.
- Prize money, prizes or trophies.
- Development of privately-owned facilities.
- Payment of debt.
- Political activities.
- Projects run solely for commercial profit.
- Items included in another Council grant application.
- Projects run solely for fundraising purposes, without broader community benefit.
- The purchase of land.

- Programs/projects in local schools/ by education providers that are exclusive to students. Core school curriculum and activities cannot be considered.
- Community organisations who already receive Council funds to undertake a specific activity for which funding is being sought, or community organisations wanting to do a specific activity that is already funded by Council.
- Travel to competitions, performances or conferences for individuals or community groups.
- Facilities where little or no public access is available.

It should be noted that meeting the eligibility criteria is not a guarantee of funding.

Lower priority

Lower priority is given to:

- Applicants who have been funded within the previous 12 months, and
- Projects or events that have previously received Council funding.

Program Details

Applications for major and minor grants must address specific criteria in one of the following categories:

- *Community Development*
- *Community Facilities*
- *Cultural Development*
- *Cultural Heritage*
- *Economic Development*
- *Sport, Recreation and Healthy Living*
- *Festivals and Events*

Major Grants

Apply for up to \$25,000 to fund community projects. Applicants must align with a specific grant category.

Council cannot be the sole funder for every project. Depending on the amount requested, funds from other sources will be required. These could include:

- Applicant cash contributions,
- Grants from other funding bodies,
- Sponsorship, or
- In-kind support.

Co-funding is required for requests over \$7,500. The table below outlines co-funding requirements.

Amount requested from Council	Minimum co-funding requirement
Up to \$7,500	No requirement
\$7,501 - \$15,000	50% of project costs from other source/s
\$15,001 - \$25,000	75% of project costs from other source/s

Minor Grants

Apply for up to \$3,000 to fund community projects. Applications must align with a specific grant category.

In Kind Assistance Only Grants

Apply for in kind assistance from Council for community events and projects. Applications must align with a specific grant category.

Types of in kind assistance available from Council include:

- *Facility/Venue Hire,*
- *Equipment Hire, Or*
- *Fee Waiver (Parking Permits, Scheduled Fees and Charges) – Rate Remissions not included,*

In kind assistance is subject to available resources. Should a resourcing conflict arise Council activities will be given precedence.

Assessment Criteria – Major, Minor and In Kind Assistance Grants

Major, minor and in kind assistance only grant applications will be assessed using the following criteria:

- Demonstrated need for the project/activity.
- Demonstrate considerable benefit to the people or environment of Devonport, meeting a need or gap in the community.
- Strength of alignment with Council's corporate priorities as described in current Council strategies, plans or policies.
- Alignment to the specific aims and priorities of the chosen category.
- Establish new and innovative community projects or programs.
- Evidence the organisation is working towards or maintaining self-sufficiency or project sustainability.

- Evidence of consultation, community support and community partnerships.
- Capacity of the applicant to successfully complete the project.
- Demonstrate good value for money and shows the contribution of the organisation applying to the project or activity through cash and/or in-kind.
- Evidence that the organisation has inclusive participation policies and practices, and
- Level of funding contributed by the applicant and/or others towards the project.

Final funding decisions are made on the merit of each application against the stated eligibility criteria, guidelines and an assessment against the above criteria.

Categories

Applications must align to the specific category purpose and meet one or more of the relevant priorities.

Community Development

Outcome: An active, connected empowered community promotes and values diversity and equity

Projects and activities that respond to an identified local need and build more inclusive, engaged, and safer communities.

Priorities (address one or more):

- Young people,
- Positive ageing,
- Families and family connection,
- Food security,
- Access and inclusion,
- Community safety, and/or
- Disaster resilience.

Projects funded under this category will:

- Promote social inclusion,
- Foster harmony and celebrate diversity,
- Foster partnerships and collaboration between community groups,
- Enhance community safety,
- Encourage community engagement, participation and volunteerism, and
- Engage with the community to encourage a sustainable Devonport.

Community Events

Outcome: People and places are connected, through events which contribute to shared place making and community identity.

Projects that support sustainable community and regional events and celebrations that reflect cultural values, diversity and the lifestyle of our communities.

To be eligible for funding in this category, events must be scheduled to take place after notification of funding outcomes.

Priorities (address one or more):

- Supporting and building capacity of local event management talent and suppliers,
- Contribute to local economy by planning events which attract a broad range of patrons and participants,
- Demonstrate sound event management principles and planning,
- Promoting a vibrant, diverse and fun place to live and visit,
- Contribute to building strong communities: inclusive, connected, engaged, healthy and active,
- Demonstrate a commitment to the development of local creative skills and cultural pursuits,
- Increase access and engagement with cultural heritage, including Aboriginal culture,
- Demonstrate a commitment to sound environmental practices and the promotion and protection of our natural environment, and/or
- Celebrate and contribute to our lifestyle, environment and culture.

Ineligible Items

The following are not eligible:

- School and church fetes,
- Celebration activities or events where attendance is limited to individual organisations or their members,
- Judging fees,
- Uniforms, and
- Purchase of merchandise, catering, hospitality, food and beverages.

Community Facilities

Outcome: People and places are connected

Projects that involve the development, maintenance or improvement of buildings or land that contributes to providing a safe, accessible and inclusive community facility.

This category supports facilities that contribute to the development of one or more of the following:

- A positive sense of community,
- A creative and artistic region,

- Healthy communities and active lifestyles, and/or
- Safe communities.

Priorities (applicants must address all):

- Provide well maintained and accessible community facilities which enable opportunities for social interaction,
- Adhere to the principles of access and equity,
- Address issues of risk management or compliance with Australian standards, and
- Have a current maintenance schedule.

Cultural Development

Outcome: A vibrant culture is created through the provision of cultural activities, events and facilities

Projects that enable the practical foundations for a range of creative programs and activities. Funding is for projects which:

- Engage with the local community and involve significant community interaction, rather than being focused on creating a product, and
- Support a number of emerging artists in a high quality project e.g. performance, theatrical activity, exhibition, and showcase.

Priorities (address one or more):

- Build local creative and cultural skills and experience,
- Further develop and revitalise an established program or project,
- Demonstrate a creative or innovative approach, and/or
- Engage the wider community in local creative and cultural projects.

Cultural Heritage

Outcome: Cultural heritage is valued and embraced

Projects that document, conserve, promote and make accessible the region's heritage and social history for long lasting community benefit.

Priorities (address one or more):

- Provide opportunities to identify, document and preserve the history of settlement in Devonport,
- Feature Aboriginal culture and heritage,
- Provide access to, interpret and protect the unique lifestyle, places and/or landscapes within the Devonport local government area,
- Feature contemporary heritage (post-1950s),
- Encourage collaboration with other regional heritage organisations, and/or
- Incorporate innovative practices and/or procedures to conserve and promote regional heritage.

Economic Development

Outcome: Strong economic leadership collaboration and identity

Projects that encourage and support local community organisations to contribute positively to improve the economic performance and prosperity of their local community.

Priorities (address one or more):

- Fostering of strong economic leadership and collaboration by government, business and industry,
- Facilitating development of the region's high value industries including promotion of innovation, research and digital participation, and/or
- Business mentoring projects focussed specifically on developing the region's high value industries, local to global connections and investment in talent and skills.

Sport, Recreation and Healthy Living

Outcome: Fit and healthy communities

Projects and programs that promote community participation in sport and recreational pursuits across the Devonport local government area.

Priorities (address one or more):

- Contribute to building healthy and active communities,
- Provide free or low cost physical activity initiatives or opportunities,
- Improve the sustainability of sport and recreation clubs,
- Ensures equipment is upgraded to meet required Australian Standard,
- Encourage healthy eating and the availability of fresh, healthy foods,
- Engage a broad spectrum of the community,
- Provide access for all abilities, and/or
- Provide benefit to multiple user groups.

Festivals and Events

Outcome: An economy is strengthened and vibrant, creative and connected community is created

Events and festivals that foster a strong sense of cultural and community spirit, provide sporting and recreational experiences and celebrate local art, culture and heritage.

Priorities (address one or more):

- Events and festivals that attract spectators/audience and/or participants from local, regional, intra and/or interstate specifically to Devonport,
- Promote overnight stays in Devonport's commercial accommodation, and/or
- Attract press coverage local, regional, intra and/or interstate.

Individual Development Grants

Up to \$100 is available to support Devonport local government area residents who are performing, competing or presenting at national or international competitions,

conferences or events (e.g. sport, arts, cultural, community, heritage, economic and environment).

Groups or teams attending the same event can apply for a group total of up to \$250.

Individuals must be selected by a recognised national body and provide a letter of selection.

Funding will assist with expenses incurred whilst attending an activity e.g. travel, accommodation, entry fee and registration.

Eligibility

Individuals who meet all of the following criteria:

- have been a permanent resident in the Devonport local government area for at least the preceding 12 months,
- Are representing the region by performing, competing or presenting at national or international competitions, conferences or events,
- Be selected by a recognised governing body (or equivalent) to attend. A letter of selection must be provided,
- Have met acquittal conditions for previous Council funding and have no debt to Council; and
- Hold amateur status.

In addition to the above, applications for sporting events must be competing in:

- Official national and international championships, recognised by a National Sporting Organisation (NSO) that is endorsed by the Australian Sports Commission; and
- Applicants must be selected by an official Tasmanian or Australian team, endorsed by the relevant National Sporting Organisation (NSO).

For non-sporting applications, the assessment panel will confirm the status of the selecting body.

Items Eligible for Funding

Funding is for expenses to attend an activity, including:

- Travel
- Accommodation
- Entry fee
- Registration
- Uniform

You must provide images at the event to acquit your project.

Low priority is given to applicants who have been funded in the past 12 months.

Application

The delivery of the Community Grants Program is subject to annual budget allocations.

Application forms for Major, Minor, In Kind and Individual Development Grants are available on Council's website www.devonport.tas.gov.au and must be completed in the prescribed manner.

Quotes are required for all items over \$500 and must be included with your application.

Please return the completed application to Devonport City Council

Email: grants@devonport.tas.gov.au

Post: PO Box 604
DEVONPORT TAS 7310

Deliver: Customer Service Department
17 Fenton Way, Devonport

Assessment

Grants are assessed by panels, which include Council Aldermen and staff experienced in each category.

In some instances, part-funding may be offered.

Panel recommendations for major, minor, individual development grants and rates remissions are reported to Council for endorsement.

Completed applications will be assessed and prioritised, the panel will then make their recommendations to the Council for endorsement. **The Council's decision is final and no further correspondence shall be entered into.** Once endorsed by Council the applicants will be informed of their success or otherwise and arrangements will be made for the transfer of funds.

Payment

Grants program funds must be claimed within three months of notification, except where an extension has been granted.

If the applicant is being auspiced, payment will be made to the auspicings organisation.

Acknowledgement and Promotion

As a condition of funding, successful applicants are required to actively and publicly acknowledge Council's support. The level of acknowledgement is determined by the amount funded and outlined in the funding program agreement.

In addition, funding recipients must also ensure that Council's positive reputation is maintained at all times.

This may include (but not limited to) any of the following:

- Acknowledgement of the Devonport City Council in press air and press advertising
- Acknowledgement of Council at award presentations and launches etc.
- Acknowledgement of Council in media releases,
- Acknowledgement of Council in social media pre, during and post activity.

- Opportunities for the Mayor or delegate to participate in any public relations activities, launches, or proceedings associated with the project. Sufficient notice should be given in the form of an official letter of invite addressed to the General Manager.
- An invitation for the Mayor, elected members and relevant Council staff to special events.
- Inclusion of the Council's logo in press advertising, signage or any promotional material.

Council's Logo is available and will be provided on request. The logo can only be used for the specific purpose to which it was requested and must be replicated in its existing form and not altered in any way, in accordance with Council's Corporate Style Guide. If use of the Council logo is not practicable, the following wording should be incorporated in any material related to the funded project: "Proudly supported by Devonport City Council".

Acquittal

Minor and Major Grants

Within six weeks of project completion, organisations must complete the Acquittal Form and attach the following:

- Copies of all tax invoices/receipts providing evidence of expenditure of funds.
- Copies of any advertising, newsletters and media relating to the funded project.
- Minimum of two (2) images in jpeg format with captions for public use by Council. Applicants are to ensure that permission is sought from individuals in photos.

Organisations will not be considered for further grant funding from Council if previous grant acquittal conditions have not been met.

In Kind Assistance Grants

Send a brief report and an image of the event/project to grants@devonport.tas.gov.au following the project's completion.

Individual Development Grants

Send a brief report and an image to grants@devonport.tas.gov.au following the Competition/Conference or Events completion.

Applicant Support

For further information or help completing the application, please contact Council's Community Services Administration Officer.

- 03 6424 0511
- grants@devonport.tas.gov.au

Note: Office hours are 8.30 am – 5.00 pm, Monday – Friday (excluding public holidays).

6.0 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

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
2 July 2018	2019 Oceania & Australian Laser Championships	Organising Committee attended to inform Council of the event.
	Regional Waste Management – Greg Preece	The Waste Governance Project Coordinator met with Aldermen to discuss the project and to gain input.
	Rotary Club of Devonport North – SeaWalk Proposal	Presentation of proposal.
	Consultation – Sale of Anglican Church Properties	Discussion of documentation supplied by Anglican Church.
	LIVING CITY Update	General LIVING CITY update and details around the move into the paranapple centre.

RECOMMENDATION

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

Author: Position:	Robyn Woolsey Executive Assistant General Management	Endorsed By: Position:	Paul West General Manager
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6.2 MAYOR'S MONTHLY REPORT

File: 22947 D498988

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 Acting Mayor.

BACKGROUND

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

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In her capacity as Acting Mayor, Alderman Annette Rockliff attended the following meetings and functions during the period 1 June 2018 to 12 July 2018:

- Council meeting and various Council Committee, Special Interest Groups and Working Groups as required
- Media interviews with 7AD, ABC, The Advocate and Coastal FM.
- Met with ratepayers
- Official Re-opening of the ANZ Devonport branch
- Represented Council at the funeral of former Mayor, Mary Binks in Launceston
- Met with Michael Harper, President of Mersey Community Care
- Crescendo Choir's final performance prior to leaving for their European tour
- Inner Wheel Club change-over dinner
- Miandetta Primary School Careers Expo - talking about Local Government
- Cradle Coast Authority Futures Workshop
- Dulverton Waste Management Authority Representatives meeting
- Conducted Citizenship Ceremony for eleven new residents
- City of Devonport Lions Club Change-over Dinner
- DCCI Lunch with Federal Opposition Leader as guest speaker
- Devonport Soroptimists International meeting
- Cradle Coast Authority Board meeting
- Spoke to two groups of Children's University participants as part of their tour of Home Hill
- Attended NAIDOC Week flag raising at Tiagarra
- Hosted information session for Cradle Coast women interesting in nominating for Local Government elections this year.

ATTACHMENTS

Nil

RECOMMENDATION

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

6.3 GENERAL MANAGER'S REPORT - JULY 2018

File: 29092 D498970

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, is easy to understand, whilst complying with legislative requirements

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, 21 June to 18 July 2018. It also provides information on matters that may be of interest to Aldermen and the community.

BACKGROUND

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

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Met with the real estate agent appointed by Council to manage the tender process for the former Maternity Hospital for the opening of the tenders. A report was provided to Council in closed Session at the June Council Meeting at which time an offer was approved for acceptance, subject to confirmation by the State Government under the terms of the funding agreement relating to demolition.
- 1.4. During the month attended a number of toolbox meetings with the works staff to outline matters of interest including briefing on the 2018/19 budget as adopted by the Council.
- 1.5. Participated in a presentation provided by officers from Launceston City Council on their experience in the roll out of e-services within that Council.

2. LIVING CITY

- 2.1. Participated in a LIVING CITY Working Group meeting. This is a regular meeting where Council officers and representatives of P+i Group discuss progress and activities associated with the project.
- 2.2. Participated in a number of meetings with a potential hospitality provider for the paranapple convention centre.

Report to Council meeting on 23 July 2018

- 2.3. Attended a meeting of the Project Control Group (PCG). The PCG includes representatives of the Council, Development Managers, Builders, Architects and the Independent Superintendent.
- 2.4. Attended a meeting of the Steering Committee progressing the integration of the Council and Service Tasmania functions following the relocation to the paranapple centre.
- 2.5. Met with P+i Group to discuss a number of matters relating to the Development Management roll associated with Stage 1 works including the arrangements relating to the handover of the building and the relocation.
- 2.6. Planning has commenced for Council's move into the paranapple centre. As part of this process Council's existing office building at 17 Fenton Way requires decommissioning in preparation for Harris Scarfe to undertake their fitout. A package of works including demolition of internal partitions, counter removals and general making good has been documented and prices sought from four local building companies. Vos Construction provided the best quote (\$118,715) and will commence works in mid-August.
- 2.7. A removalist has been engaged to transport necessary items from Fenton Way to the paranapple centre.
- 2.8. An auction is being arranged to dispose of surplus furniture along with other excess items that have accumulated at the works depot.
- 2.9. Whilst not directly related to the relocation, 17 Fenton Way has required painting for some time, so the opportunity was taken to undertake this maintenance to align with Harris Scarfe moving in. Prices were sought from three local painters, with Ashdown Painting providing the best value and undertaking the works during June.
- 2.10. With the decommissioning of the current building, the Council meeting scheduled for 27 August 2018 will be held at the East Devonport Recreation and Function Centre. The last meeting scheduled for the current Council Chambers will be the Infrastructure, Works & Development Section 23 Committee on Monday 13 August.
- 2.11. It is currently anticipated that all Council, Library and Service Tasmania operations will commence in the paranapple centre on Monday 3 September 2018.

3. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 3.1. With Ald Laycock, Ald Jarman, Ald Milne and Ald Goodwin met with the Vice Chancellor of the University of Tasmania, Professor Rufus Black and members of his executive team. Opportunities to work collaboratively together on promoting further education are to be explored as a result of the meeting.
- 3.2. Met with the Property Manager from TasPorts to specifically discuss the future of 2-12 Murray Street, East Devonport.
- 3.3. Met with a representative of the Beach Volleyball Association to discuss potential opportunities for the future development of a facility at the Bluff. Information was provided based on the Council's previous consideration of the matter at the Community Services Committee meeting on 12 December 2016.
- 3.4. Met with a resident of Stony Rise Road concerned with the junction of Stony Rise Road and Friend Street (exit from Homemaker Centre).

- 3.5. With the Acting Mayor attended a media announcement relating to the sale of the former Maternity Hospital to local development firm KCB Developments Pty Ltd. The Minister for Housing, Hon Roger Jaensch MP participated in this event on behalf of the State Government. KCB Developments Pty Ltd has agreed to purchase the property for \$667,000. The sale price is above the independent valuation provided to Council for the site in March this year, following the demolition of the former hospital building.
- 3.6. Met with a local developer to discuss matters relating to a subdivision approval.

4. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 4.1. Attended a meeting of the Cradle Coast General Managers' Group at Latrobe. Items included for discussion were:
- Cradle Coast Waste Governance – the consultant engaged to progress this issue with member councils attended.
 - Food Organics and Garden Organics (FOGO) – an opportunity to develop a regional application for funding of the capital costs associated with the introduction of a FOGO collection service.
 - Garage Sale Trail – opportunity for the Cradle Coast Waste Management Group to coordinate a regional response for the Garage Sale Trail.
 - Investment Opportunities – a discussion surrounding the potential blockages which occur when trying to attract investment in the region.
 - Cradle Coast Authority Resourcing Structure and Funding – presentation provided by the CCA.
 - Shared Services – update.
- 4.2. With the Acting Mayor attended a Workshop at Cradle Coast Authority (CCA) relating to the development of a Regional Futures Plan. Through funding assistance, the CCA have appointed Regional Australia Institute to develop the Futures Plan aimed at “establishing a shared roadmap to guide collective actions around regional development”.
- 4.3. Met with the Project Officer appointed by the Cradle Coast Waste Management Group to investigate the future of Waste Management Governance in the Region. This project is as a result of previous work undertaken which identified there would be potential benefits from better coordination and delivery of waste services along the Coast.
- 4.4. With the Acting Mayor, as appointed representatives of Council attended the quarterly Dulverton Waste Management Joint Authority meeting at Kentish Council. Minutes from this meeting are provided to Council in Closed Session in accordance with the adopted Rules of the Authority.

5. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 5.1. The Minister for Local Government has announced there will be a broad review of the Local Government Act during the term of the Government. The review will be aimed at “ensuring that a contemporary framework for local government will:
- support greater innovation, flexibility and productivity in the sector, to improve the overall efficiency and effectiveness of the services that councils provide to the Tasmanian community;

- minimise the red tape burden on councils, business and the broader community; and
- enhance accountability and transparency across the sector".

The Government have advised they "will work closely with LGAT and will release a Public Discussion Paper in coming months, inviting community and stakeholder contributions on ideas and options to modernise the Tasmanian legislative framework, starting from 'first principles' basis. This will be the first step in a significant, ongoing consultation process, and will include engagement with the local government sector".

- 5.2. With the Acting Mayor attended a DCCI organised lunch with the Leader of the Opposition, Hon Bill Shorten and Braddon by-election candidate Justine Keay.

6. OTHER

- 6.1. The Local Government (General) Regulations 2018 have been amended with effect from 1 August 2018. The amendments include the following:

- *prescribe the requirements for the keeping of a gifts and donations register by the general manager including: classes of gifts and donations to be disclosed by elected members to the general manager; the monetary threshold for disclosure (\$50 or more); the details to be contained in a notice to the general manager and the timeframe (14 days) for the provision of this notice; and the information to be recorded in the register;*
- *amend regulation 21 to remove the requirements prescribing poster size and number;*
- *amend regulation 22 to remove the restrictions in regard to limitations on television, radio and newspaper advertising;*
- *amend regulation 22 to remove two separate electoral expenditure limits, replacing these with a single expenditure limit of \$8,000 for a candidate, regardless of whether they are running for mayor or deputy mayor or councillor - this amount will be increased each year by CPI; and*
- *amend the Declaration of Office such that elected members are required to engage in ongoing professional development and abide by the principles of good governance.*

In providing advice of the amendments the Director of Local Government advised:

"Whilst there is currently no legislative requirement for the gifts and donations register to be made public, it is certainly expected that councils will publish the register on their website in the interests of good governance and transparency".

Council's current Gifts and Benefits Policy will now be updated to accord to the amended Regulations.

- 6.2. At its meeting on 30 May 2018 Council, in its role as a planning authority, refused an application by Optus for a development permit to construct a telecommunications tower on a site at 94 Winspears Road, East Devonport.

The applicant then exercised its right of appeal against that decision to the Resource Management and Planning Appeals Tribunal (the Tribunal).

Council then received advice from its solicitor that there was little chance of successfully defending the appeal and that to do so would potentially result in a significant Order of Costs against it.

Council considered the legal advice at its meeting on 25 June 2018 and resolved to formally abandon the reasons for its initial decision.

On 11 July 2018 the Tribunal determined that the appeal was upheld. Council was directed to issue a development permit for the construction of the tower subject to the set of conditions that had been attached to the initial recommendation for approval.

Each party was ordered to pay its own costs.

A copy of the Tribunal's decision is attached.

- 6.3. The General Manager is on leave from 20 July to 12 August 2018. During this period in line with Council's standing delegation, Matthew Atkins assumes the role of Acting General Manager.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

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

RISK IMPLICATIONS

There are no specific risks associated with this report.

CONCLUSION

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

ATTACHMENTS

1. [Resource Management and Planning Appeal Tribunal - Optus Mobile Pty Ltd v Devonport City Council - 94 Winspears Road, East Devonport](#)
2. [Current and Previous Minute Resolutions Update - July 2018](#)
3. CONFIDENTIAL - Current and Previous Minute Resolutions Update - July Confidential 2018

RECOMMENDATION

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

Author:	Paul West
Position:	General Manager



RESOURCE MANAGEMENT AND PLANNING APPEAL TRIBUNAL

Citation:	Optus Mobile Pty Ltd v Devonport City Council [2018] TASRMPAT 43B	
Parties:	<i>Appellant:</i>	Optus Mobile Pty Ltd
	<i>Respondent:</i>	Devonport City Council
Subject Land:	94 Winspears Road, East Devonport	
Appeal No:	54/18P	
Jurisdiction:	Planning Appeal	
Hearing Date(s):	Submissions were made and responded to in writing	
Decision Date:	11 July 2018	
Delivered At:	Hobart	
Before:	M Duvnjak, Chairperson	
Representation:	<i>Appellants:</i>	D Morris, Simmons Wolfhagen
	<i>Respondent:</i>	S McElwaine SC, Shaun McElwaine & Associates
Catchwords:	Planning Appeal	

REASONS FOR DECISION

Introduction

1. This appeal relates to development application PA2018.0029.
2. Agreement has been reached between the parties with respect to the resolution of appeal, and the terms of the agreement have been submitted to the Tribunal for its consideration.
3. The Tribunal, having considered the application, the grounds of appeal and the terms of resolution which is proposed, is satisfied in accordance with s17(2) of the *Resource Management & Planning Appeal Tribunal Act 1993*, that a decision in the terms sought is an appropriate decision and is within its powers.
4. Accordingly, the Tribunal upholds the Appellant's appeal and sets aside the decision of the Devonport City Council (the Council) and directs the Council to issue a permit the terms of Annexure "A" of this decision for PA2018.0029 within 14 days of this Order.
5. It is further ordered that each party bear its own costs of the appeal.

Annexure "A"

Conditions:

1. The use and development is to be undertaken and proceed in accordance with the submitted plans for a proposed Telecommunication Facility Lot 1 SP 170489, 94 Winspears Road, prepared by Catalyst One Pty Ltd for Optus Mobile Pty Ltd dated April 2018;
2. The developer is to take all reasonable steps during construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and does not allow for the burning of any waste materials; and
3. 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.

Current and Previous Minute Resolutions Update

OPEN SESSION Current Resolutions	
Resolution Title:	Rates and Charges Policy (D527115)
Date:	25 June 2018
Minute No.:	103/18
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Placed on Council's website
Resolution Title:	Annual Plan and Budget Estimates – 2018-2019 (D529402)
Date:	25 June 2018
Minute No.:	104/18
Status:	Completed
Responsible Officer:	General Manager
Officers Comments:	Rate notices issued
Resolution Title:	Financial Management Strategy (D530612)
Date:	25 June 2018
Minute No.:	105/18
Status:	Completed
Responsible Officer:	Executive Officer Organisational Performance
Officers Comments:	Strategy updated on Website
Resolution Title:	Piano Acquisition for the Paranaple Convention Centre (D530236)
Date:	25 June 2018
Minute No.:	106/18
Status:	Completed
Responsible Officer:	Convention and Arts Centre Director
Officers Comments:	Ordered
Resolution Title:	Petition – Request to Seal Webberleys Road, Forthside (D529344)
Date:	25 June 2018
Minute No.:	107/18
Status:	Completed
Responsible Officer:	Executive Officer
Officers Comments:	Sealing project scheduled in year 4 of 5 year capital works program - petitioner advised via letter 28 June 2018.

Resolution Title:	Riding and Skating in the CBD (IWC 23/18 – 18 June 2018)
Date:	25 June 2018
Minute No.:	115/18
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Redundant signs being removed
Resolution Title:	Transport Asset Management Plan (IWC 24/18)
Date:	25 June 2018
Minute No.:	115/18
Status:	Completed
Responsible Officer:	Deputy General Manager
Resolution Title:	Plan currently being advertised for public comment

Previous Resolutions Still Being Actioned

Resolution Title:	Kelcey Tier Mountain Bike Trails – Kelcey Tier Reserve (D526270)
Date:	28 May 2018
Minute No.:	86/18
Status:	Completed
Responsible Officer:	Community Services Manager
Officers Comments:	Consultants appointed to develop Kelcey Tier Master Plan. Approval for next stage of Mountain Bike tracks issued.
Resolution Title:	Draft Environment Strategy 2019-2024 (GFC 26/18 – 21 May 2018)
Date:	28 May 2018
Minute No.:	90/18
Status:	Completed
Responsible Officer:	Community Services Manager
Officers Comments:	Strategy referred to July Governance, Finance & Community Services meeting for adoption.
Resolution Title:	Draft Regional Youth Strategy 2019-2024 (GFC 27/18 – 21 May 2018)
Date:	28 May 2018
Minute No.:	90/18
Status:	Completed
Responsible Officer:	Community Services Manager
Resolution Title:	Strategy referred to July Governance, Finance & Community Services meeting for adoption.

Resolution Title:	Draft Devonport Retail Strategy 2018-2023 (GFC 28/18 – 21 May 2018)
Date:	28 May 2018
Minute No.:	90/18
Status:	Completed
Responsible Officer:	Community Services Manager
Resolution Title:	Strategy referred to July Governance, Finance & Community Services meeting for adoption.
Resolution Title:	PA2018.0029 Utilities (Telecommunication Infrastructure) – 94 Winspears Road, East Devonport (D522733)
Date:	30 April 2018
Minute No.:	63/18
Status:	Completed
Responsible Officer:	Deputy General Manager
Officers Comments:	Appeal by applicant upheld and approval given to proceed
Resolution Title:	Mersey Bluff Precinct (D504218)
Date:	18 December 2017
Minute No.:	248/17
Status:	In progress
Responsible Officer:	City Engineer on behalf of Executive Manager Organisational Performance
Officers Comments:	Delivery of report delayed until July. Expecting to provide report to August IWC
Resolution Title:	Disability/Equal Access and Inclusion (D491448)
Date:	25 September 2017
Minute No.:	181/17
Status:	In progress
Responsible Officer:	Community Services Manager
Officers Comments:	Workshop held with Liveable Communities Special Interest Group and community members.
Resolution Title:	Funding & Assistance – Home Hill – NOM – Ald Laycock
Date:	26 September 2016
Minute No.:	170/16
Status:	In progress
Responsible Officer:	Convention and Arts Centre Director
Officers Comments:	Landscape Management Plan workshopped with Aldermen 4 June 2018. Comment provided to landscape architects. Awaiting revised costing of implementation plan.

7.0 SECTION 23 COMMITTEES**7.1 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 16 JULY 2018**

File: 33784 D535934

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Governance, Finance & Community Service Committee meeting held on Monday, 16 July 2018.

ATTACHMENTS

- [1.](#) Minutes - Governance, Finance & Community Services Committee - 16 July 2018

RECOMMENDATION

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 16 July 2018 be received and the recommendations contained therein be adopted.

- GFC 36/18 Local Government Association of Tasmania - Annual General Meeting and General Meeting - 25 July 2018
- GFC 37/18 State Emergency Services - Memorandum of understanding
- GFC 38/18 Environment Strategy 2019-2024
- GFC 39/18 Regional Youth Strategy 2019-2024
- GFC 40/18 Devonport Retail Strategy 2018-2023
- GFC 41/18 Live and Learn Steering Group
- GFC 42/18 Minutes of Council's Special Interest Groups and Advisory boards
- GFC 43/18 Elected Members' Expenditure Report May and June 2018
- GFC 44/18 Community Services, Arts and Culture Report - May/June 2018
- GFC 45/18 Governance & Finance Report

Author:	Robyn Woolsey	Endorsed By:	Paul West
Position:	Executive Assistant Management	Position:	General Manager

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**MINUTES OF A GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING OF
THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS
ON MONDAY, 16 JULY 2018 COMMENCING AT 5:30PM**

PRESENT: Ald A L Rockliff (Chairman)
Ald C D Emmerton
Ald G F Goodwin (from 5:33pm)
Ald A J Jarman
Ald T M Milne

Aldermen in Attendance:
Ald J F Matthews
Ald L M Perry

Council Officers:
General Manager, P West
Executive Manager Corporate Services, J Griffith
Executive Manager Organisational Performance, K Peebles
Convention and Arts Centre Manager, G Dobson
Acting Community Services Manager, J Robertson

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

1.0 APOLOGIES

The following apology was received for the meeting.

Ald L M Laycock	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

3.2 QUESTIONS FROM ALDERMEN

Nil

3.3 NOTICES OF MOTION

Nil

4.0 GOVERNANCE REPORTS

Page 2 of 8

4.1 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - ANNUAL GENERAL MEETING AND GENERAL MEETING - 25 JULY 2018 (D532911)**GFC 36/18 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Jarman

That it be recommended to Council that the agendas for the Local Government Association of Tasmania Annual General Meeting and General Meeting to be held on 25 July 2018 be received and noted.

Alderman Goodwin attended the meeting at 5:33pm.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

4.2 STATE EMERGENCY SERVICES - MEMORANDUM OF UNDERSTANDING (D534232)**GFC 37/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That Council authorise the General Manager to sign the revised version of the State Emergency Services – Memorandum of Understanding between Devonport City Council and Latrobe Council.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

5.0 FINANCE REPORTS

Nil

6.0 COMMUNITY SERVICES REPORTS**6.1 ENVIRONMENT STRATEGY 2019-2024 (D529010)****GFC 38/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Milne

That it be recommended to Council that in relation to the Environment Strategy 2019-2024:

- a) it be noted that no modifications to the original document have been made in light of community feedback;
- b) the Strategy be adopted;
- c) Ald Milne and Ald Jarman be appointed to the Environmental Strategy Working Group; and

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- d) that a public Expression of Interest process be undertaken for the community members to be appointed to the Environmental Strategy Working Group.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

6.2 REGIONAL YOUTH STRATEGY 2019-2024 (D529011)

GFC 39/18 RESOLUTION

MOVED: Ald Jarman

SECONDED: Ald Milne

That it be recommended to Council that in relation to the Regional Youth Strategy:

- a) It be noted that no submissions were received during the public consultation phase; and
- b) the Strategy be adopted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

6.3 DEVONPORT RETAIL STRATEGY 2018-2023 (D529012)

GFC 40/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That it be recommended to Council that in relation to the Devonport Retail Strategy:

- a) it be noted that no modifications have been made to the draft document following community feedback; and
- b) the Strategy be adopted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

6.4 LIVE AND LEARN STEERING GROUP (D530872)

GFC 41/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Milne

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That it be recommended to Council that the formation of the Live and Learn Steering Group be noted and endorsed.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

7.0 INFORMATION REPORTS

7.1 MINUTES OF COUNCIL'S SPECIAL INTEREST GROUPS AND ADVISORY BOARDS (D524954)

GFC 42/18 RESOLUTION

MOVED: Ald Jarman

SECONDED: Ald Milne

That it be recommended to Council that:

- a) the minutes of the Devonport Regional Gallery Advisory Board, Active City Special Committee and East Devonport Special Interest Group be received and noted; and
- b) it note the recommendation from the East Devonport Special Interest Group regarding the proposal for development of a Garden of Reflection at Pioneer Park and consider the development of a conceptual plan in the future, dependent on priorities emanating from the Pioneer Park Master Plan.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

7.2 ELECTED MEMBERS' EXPENDITURE REPORT MAY AND JUNE 2018 (D533243)

GFC 43/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Milne

That it be recommended to Council that the report advising of Aldermen expenses be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

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7.3 COMMUNITY SERVICES, ARTS AND CULTURE REPORT - MAY/JUNE 2018 (D526630)**GFC 44/18 RESOLUTION**

MOVED: Ald Milne
 SECONDED: Ald Jarman

That it be recommended to Council that the Community Services, Arts and Culture report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

7.4 GOVERNANCE & FINANCE REPORT (D532906)**GFC 45/18 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Emmerton

That it be recommended to Council that the Governance and Finance report be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Jarman	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓				

CARRIED UNANIMOUSLY

8.0 CLOSED SESSION**GFC 46/18 RESOLUTION**

MOVED: Ald Milne
 SECONDED: Ald Jarman

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

Item No	Matter	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>				
8.1	Paranple Convention Centre Catering Contract	15(2)(b),(d)				
8.2	Outstanding Debtors – 90 Days and Over Report	15(20)(j)				
8.3	Outstanding Rates Debtors – Three Years and Over	15(2)(j)				
		For	Against		For	Against
Ald Rockliff		✓		Ald Jarman	✓	
Ald Emmerton		✓		Ald Milne	✓	
Ald Goodwin		✓				

CARRIED UNANIMOUSLY

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The Chairman adjourned the meeting at 6:13pm to reconvene in Closed Session at 6:16pm.

The Council moved out Closed Session at 6:27pm.

Council resumed in open session at 6:27pm.

CLOSURE

There being no further business on the agenda the closed session was declared closed at 6:27pm.

8.0 CLOSED SESSION

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
8.1	Confirmation of Closed Minutes - Council Meeting - 25 June 2018	15(2)(g)
8.2	Application for Leave of Absence	15(2)(i)
8.3	Unconfirmed Minutes - Joint Authorities	15(2)(g)
8.4	Waterfront Hotel Update	15(2)(g)
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 16 July 2018	15(2)(f)

OUT OF CLOSED SESSION**RECOMMENDATION**

That Council:

- (a) having met and dealt with its business formally move out of Closed Session; and
- (b) resolves to report that it has determined the following:

Item No	Matter	Outcome
8.1	Confirmation of Closed Minutes - Council Meeting - 25 June 2018	Noted
8.2	Application for Leave of Absence	Granted
8.3	Unconfirmed Minutes - Joint Authorities	Noted
8.4	Waterfront Hotel Update	Noted
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 16 July 2018	Adopted

9.0 CLOSURE

There being no further business the Acting Mayor declared the meeting closed at pm.
