



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranable centre, 137 Rooke Street, Devonport on Monday 26 October 2020, commencing at 5:30 pm.

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

QUALIFIED PERSONS

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

Matthew Atkins
GENERAL MANAGER

21/10/2020

November 2020

Meeting	Date	Commencement Time
Annual General Meeting	9/11/2020	5:30pm
Ordinary Council	23/11/2020	5:30pm

**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL,
HELD ON MONDAY 26 OCTOBER 2020, IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre,
137 ROOKE STREET, DEVONPORT COMMENCING AT 5:30 PM**

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ATTENDEES

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

ACKNOWLEDGEMENT OF COUNTRY

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

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Digital Recording Policy. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months. 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 APOLOGIES**2 DECLARATIONS OF INTEREST**

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 CONFIRMATION OF MINUTES - COUNCIL MEETING - 28 SEPTEMBER 2020

RECOMMENDATION

That the minutes of the Council meeting held on 28 September 2020 as previously circulated be confirmed.

3.2 PUBLIC QUESTION TIME

PUBLIC QUESTION TIME

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

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

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That the responses to questions from Mr Graeme Nevin, asked at the September 2020 Council meeting, be noted.

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

1. Response to Question Without Notice - Graeme Nevin [**3.2.1.1** - 1 page]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

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

RECOMMENDATION

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

Mr Malcolm Gardam – 4 Beaumont Drive, Miandetta

A question on notice received from Mr Malcolm Gardam received Friday 16 October 2020 is **reproduced as attachment 1**.

Current Commercial Lease Policy

Q1 The previously operable Community, Childcare and **Commercial Lease** Policy (since split into separate Community and Commercial policies) contained the following provisions relating to all leases:

Validation of Lease Agreement

Council land and/or buildings shall only be occupied pursuant to a formal signed lease.

Failure to validate the lease agreement by signature may result in the discontinuation of lease negotiations with the tenant.

Once lease terms have been finalised, Council reserves the right to commence rental charges even if the agreement remains unsigned.

If the lease remains unsigned for a period of more than 30 days, 90 days notice to vacate the premises (building and/or land) may be given to the tenant who currently occupies the premises.

With reference to "Validation of Lease Agreement" above, why have these requirements been omitted from the recently adopted Commercial Lease Policy, or more importantly reworded as non-contradictory requirements covering this commercial aspect not been included in the new policy?

Response

The noted clauses were not considered necessary in the commercial lease policy.

Q2 The recently adopted Commercial Lease Policy contains an attachment titled "Commercial Lease Checklist (mandatory clauses)" and the following are asked as separate questions requiring separate answers:

- a)** With reference to "*Terms of Lease – Commercial leases will be subject to full commercial terms and relevant guidelines and legislation. Any deviation from standard commercial leasing arrangement will be subject to specific consideration in lease reports to Council.*"; will Council please explain what "full commercial terms" actually means in practice and what are the "relevant guidelines"?

- b) With reference to *"Terms of Lease – Commercial leases will be subject to full commercial terms and relevant guidelines and legislation. Any deviation from standard commercial leasing arrangement will be subject to specific consideration in lease reports to Council."*; in practice, does this mean a report in advance of a proposed commercial lease arrangement for approval by Council at a formal meeting?
- c) With reference to *"Length of Lease – Maximum term for a commercial lease shall be ten years, but must be of a sufficient period of tenure to allow tenant reasonable opportunity to establish the business."* it is difficult to see this as a mandatory clause in an agreement and little more than promotion as to being a caring landlord; BUT, why is there no consideration in this reference checklist as to the term of the lease being of sufficient duration for Council to justify in specific instances, such as with Providore Place tenants, a return on hundreds of thousands of dollars of ratepayer funds expended on tenant-specific requirements and costly "fitouts" plant and equipment benefiting the tenant?
- d) With reference to *"Default and/or breach – Clauses relating to default or breach must be included. This clause will generally relate to non-payment of rent; failure to comply with clauses deemed to be essential terms (including, but not limited to failure to pay outgoings; failure to maintain premises; failure to comply with notices); the tenant becoming bankrupt or entering into liquidation(company only)"* which clearly states no more than what any competent Commercial Manager would insist upon; I ask, is this a belated inclusion of just one particular Providore Place lease clause referred to by the Auditor General as *"the head lease, primarily drafted by P+I, appeared to be missing a number of standard clauses."*?

Response

Council has adopted a commercial lease policy, with clauses as considered appropriate and necessary to guide its decision making. As with any policy, Council has the ultimate discretion as to how it interprets and applies a policy position to any specific circumstance. The Commercial Lease Policy is considered adequately detailed and there is no intention to add further definition where the meaning of a specific word or phrase could be reasonably understood. The process and necessary reporting in regard to considering future commercial leases is a matter for Council and will be determined based on the specific circumstances of each lease.

Responses to previous questions on notice

- Q3** While it is acknowledged the Mayor acts as spokesperson of council in relation to council policy and decisions, do all Councillors support the Mayor's August responses to about 10 ratepayer questions, relating to the adverse Code of Conduct findings against the Mayor, and that those responses made at the time of responding satisfied the Code of Conduct decision making criteria; as being with an "open mind", "solely on merit, "impartial" and "not prejudged" when offering a standard response like *".....I do not intend to make any further comment or take any further action"*?

Response

Councillors consider that the code of conduct complaint by yourself against the Mayor has been appropriately dealt with and Council does not intend to make any further comment.

Waterfront park elevated walkway

Q4 Council previously advised that the Waterfront Park Elevated Walkway may be connected to the hotel to provide direct access if requested by the developer; accordingly, has such a request been made and if so will that be incorporated into the design?

Q5 If direct access between the Elevated Walkway and the hotel is to be incorporated into the design then who will pay for all associated costs including subsequent design and construction costs at this late stage in construction?

Response

The hotel owner has not requested a connection between the hotel and the elevated walkway.

Council COVID-19 financial relief initiatives

Q6 Has Council granted a reduction in rent payable by its commercial tenants and if so what percentage reduction has been applied?

Q7 If so, does this apply to all of Council's commercial tenants or just Providore Place?

Response

Council has provided financial support to its commercial tenants in accordance with obligations under the COVID-19 Disease Emergency (Commercial Leases) Act 2020. Rent waivers have been applied consistently across all commercial tenants at varying percentages in accordance with the level of financial hardship being suffered.

Q8 Without disclosing actual details, how many Council rate relief application forms/requests has Council:

- a) received; and
- b) actually granted relief to:
 - i. Devonport businesses (not occupying Council properties); and
 - ii. Devonport residents?

Response

In the Governance and Finance Report tabled at Council's September meeting it was noted:

"As at the end of August, Council received nine enquiries or applications for financial hardship assistance from commercial ratepayers and one application for financial hardship assistance from a residential ratepayer under the Financial Hardship Assistance Policy.

The applications resulted in one commercial ratepayer and one residential ratepayer receiving assistance by deferral of rate payments to 31 March 2021 and waiving any applicable late payment penalties.

The majority of early enquires from commercial ratepayers did not result in assistance being provided as these business were able to pay instalments as they became due."

A further update will be provided as part of the next Governance & Finance Report.

Q9 What has been the total cost to Council of the COVID-19 relief granted to businesses applying for relief between 1/3/20 and 30/9/20?

Q10 What is the total cost to Council of COVID-19 rent relief granted to businesses occupying Council owned property?

Response

Costs associated with the COVID-19 pandemic, including rent relief will be reported in Council's Annual Report.

Q11 During the current calendar year has Council considered or granted rent free periods of: (a) 6 months; (b) 12 months or (c) 18 months to an existing or proposed commercial tenant regarding a Council owned property?

Response

The terms associated with leases for Council's commercial properties are generally commercial-in-confidence and have been determined in closed session, therefore this information is unable to be disclosed.

Mr Bob Vellacott – 11 Cocker Place, Devonport

A question on notice received from Mr Bob Vellacott received Saturday 17 October 2020 is **reproduced as attachment 2**.

Devonport Aquatic Centre

Q1 Please inform as to whether or not a hydrotherapy pool, compliant with medical rehabilitation standards, was considered and planned to be included within the enclosed area of the aquatic centre?

Q2 If a conforming hydrotherapy pool was considered and the plans submitted to obtain funds for the aquatic centre from the State and Federal Government included a conforming hydrotherapy pool then:

- a) What was the reason for not including a hydrotherapy pool?
- b) Who instigated that a hydrotherapy pool **not** be included in the final construction?

Response

In the feasibility stages of the Splash Aquatic Centre, it is understood that various pool configurations and types were considered, including a potential hydrotherapy pool. Ultimately, the Council of the day made a decision that the facility, as built was the most suitable, based on community need and available budget.

Mr Christopher Mills – 52 Caroline Street, East Devonport

A question on notice received from Mr Christopher Mills received Monday 19 October 2020 is **reproduced as attachment 3**.

Q1 To obtain Planning Approval in 2018, the Developer of Merseyview Court... the boundary of which is 3 metres from my home, was required to present to this Council a report from an Approved Bushfire Hazard Practitioner. . The appropriate

Certification was issued with the Chief Fire Officer's requirements (Fire Service Act TAS 1979) that included the requirement at Section 1.14 of the Certificate that:

"Timber, woodchip and flammable mulches cannot be used...."

Was this Administration aware of this requirement when the Parks & Reserves team spread 800m² of inflammable woodchips next to my home and inside the northern boundary of Merseyview Court?

- Q2** Did the General Manager disclose to the Elected Members, before they voted unanimously to endorse the spreading of 800m² of inflammable woodchips next to my home (Minutes: Council Meeting 28 Sept)..... that data provided by the Dept. of Premier & Cabinet (Tasmanian Government) confirms that my home (and others) is in a "Bush Fire Impact Area – Risk Present". Such an area is defined by the Tas. Government as: "*:A bushfire impact area may be subject to bushfire impacts such as smoke and embers*".
- Q3** Was the above information suppressed by the General Manager when seeking the endorsement of the 9 Elected Members and the 6 Council Officers at that Meeting, that the woodchips and flammable shrubs will NOT be replaced with cropped grass and plants of low flammability as recommended by Tas Fire?

Response

As previously advised, Council consider the landscaping that has occurred on the public reserve to the west of your property as appropriate for the location.

ATTACHMENTS

1. Questions on Notice - Council Meeting - 26 October 2020 - Malcolm Gardam [**3.2.2.1** - 3 pages]
2. Questions on Notice - Council Meeting - 26 October 2020 - Bob Vellacott [**3.2.2.2** - 1 page]
3. Questions on Notice - Council Meeting 26 October 2020 - Chris Mills [**3.2.2.3** - 1 page]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

4 PLANNING AUTHORITY MATTERS

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

5 REPORTS

5.1 TENDER REPORT CONTRACT CT0279 BRIDGE ROAD PAVEMENT RENEWAL

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

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

RECOMMENDATION

That Council in relation to Contract CT0279 Bridge Road Pavement Renewal:

- a) award the contract to Walters Contracting Pty Ltd for the tendered sum of \$269,031 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$31,000 (ex GST);
- c) note utility and other costs for the project are \$11,485 (ex GST); and
- d) note a construction contingency of \$53,807 (ex GST) is included.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report seeks Council's approval to award Contract CT0279 Bridge Road Pavement Renewal to Walters Contracting Pty Ltd.

BACKGROUND

This report considers tenders received for "Bridge Road Pavement Renewal" listed within the 2020/21 capital expenditure budget.

A design has been prepared that meets the identified objectives for the project. The scope of work includes:

- pavement and seal renewal
- kerb and channel renewal
- upgrade of bus stop to current standard

Three pavement design options were included within the tender scope to give contractors the opportunity to consider a variety of program and project delivery methodology options.

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 over the prescribed amount.

DISCUSSION

A Tender Planning and Evaluation Committee was formed to evaluate all tenders received. The Tender Planning and Evaluation Committee minutes are available for viewing by Councillors upon request.

Tenders were received from six companies. All tenders are summarised in table 1 below:

TABLE 1

No.	Tender	Pavement Option	Total Price (ex GST)
1	Walters Contracting Pty Ltd	Full Depth	\$269,031
2	Walters Contracting Pty Ltd	Asphalt	\$309,928
3	Civilscape Contracting Tasmania	Full Depth	\$296,516
4	Civilscape Contracting Tasmania	Asphalt	\$336,234
5	ATM Civil Contracting	Stabilised Pavement	\$316,072
6	ATM Civil Contracting	Asphalt	\$323,447
7	Hardings Hotmix Pty Ltd	Asphalt	\$356,651
8	CBB Contracting Pty Ltd	Asphalt	\$374,248
9	Stabilised Pavements Pty Ltd	Stabilised Pavement	\$401,587

As highlighted in table 1, Walters Contracting Pty Ltd (\$269,031) is the lowest priced tender. The Tender Planning and Evaluation Committee has considered each of the selection criteria and Walters Contracting has ranked highest overall and therefore offers Council the best value for money.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 25 July 2020 and tenders were also advertised on Council's web site.

FINANCIAL IMPLICATIONS

The 2020/21 capital expenditure budget includes an allocation for the "Bridge Road Pavement Renewal" project of \$374,000. The quote received from Walters Contracting Pty Ltd is \$269,031

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

TABLE 2

No.	Tender	Budget (ex GST)
1	Contract CT0279	\$269,031
2	Project design, management, administration	\$31,000
3	Utilities and third-party purchases	\$11,485
4	Construction contingency 20%	\$53,807
	TOTAL	\$365,323

The forecast expenditure for this project is within the available budget allocation.

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*.

A contingency of 20% of the contract value is required for this project. This risk of unforeseen variation is low. However, the complexity of managing traffic through the site whilst undertaking productive work, means that contract variations may be more costly than on other projects.

CONCLUSION

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Walters Contracting Pty Ltd has achieved the highest total score and is therefore most likely to offer "best value" in relation to Contract CT0279 Bridge Road Pavement Renewal.

ATTACHMENTS

Nil

5.2 TENDER REPORT CONTRACT CT0271 MERSEY BLUFF TRAFFIC IMPROVEMENTS

Author: **Shannon Eade, Project Management Officer**
 Endorser: **Matt Skirving, Executive Manager City Growth**
Michael Williams, Infrastructure and Works Manager

RECOMMENDATION

That Council in relation to Contract CT0271 Mersey Bluff Traffic Improvements:

- a) award the contract to Hardings Hotmix Pty Ltd for the tendered sum of \$276,870 (ex GST);
- b) note project design, management and administration costs are estimated at \$14,000
- c) note utility and other costs are estimated at \$26,020
- d) note a contingency of \$27,687; and
- e) note identified savings to be agreed are estimated at \$30,000

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report seeks Council's approval to award Contract CT0271 Mersey Bluff Traffic Improvements to Hardings Hotmix Pty Ltd.

BACKGROUND

October Meeting Update - At its meeting on the 28 September 2020 Council determined (Min Res 20/88) that the consideration of this Tender Report for Contract CT0271 be deferred.

As a result of this resolution, the proposed works subject to the Tender Report were discussed at a workshop with Councillors on Monday 12 October 2020, and the report is presented again to Council for consideration in this meeting agenda.

This report considers tenders received for "Mersey Bluff Precinct – Traffic, Pedestrian, and Parking Improvements Stage 2" listed within the 2020/21 capital expenditure budget as three separate projects:

- Mersey Bluff - bin compound;
- Mersey Bluff Precinct – Traffic, Pedestrian, and Parking Improvements Stage 2
- Mersey Bluff Precinct – Traffic, Pedestrian, and Parking Improvements Stage 3

The Mersey Bluff Traffic, Parking and Pedestrian Study undertaken in 2018 provided an implementation plan to "maximise the potential of the Bluff precinct" from a traffic, parking and pedestrian perspective.

Work on the implementation of the identified improvements commenced in 2018-19 and continued in 2019-20. The design of this work package includes pedestrian safety improvements across Bluff Rd and William Street; a pedestrian link into the precinct; traffic

improvements with the proposed roundabout including directional and precinct entry signage.

- ① Roundabout to better control traffic
- ② New pedestrian footpath link to Bluff Precinct
- ③ Pedestrian priority crossing on road humps to control vehicle speeds and make it safer for people to cross
- ④ Coastal Pathway new alignment
- ⑤ New threshold access to carpark and surf club
- ⑥ Access stairs and path to link to headland track
- ⑦ Kerb realigned to reduce vehicle speeds around curve



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 over the prescribed amount.

DISCUSSION

A Tender Planning and Evaluation Committee was formed to evaluate all tenders received. The Tender Planning and Evaluation Committee minutes are available for viewing by Councillors upon request.

Tenders were received from five companies. All tenders are summarised in table 1 below:

TABLE 1

No.	Tender	Status	Tender Price (ex GST)
1	Hardings Hotmix Pty Ltd	Conforming	\$276,870
2	Walters Family Trust Pty Ltd	Conforming	\$282,033
3	Civilscape Contracting Tasmania Pty Ltd	Conforming	\$299,883
4	CBB Contracting Pty Ltd	Conforming	\$333,964
5	Treloar Transport Pty Ltd	Conforming	\$344,533

As highlighted in table 1, Hardings Hotmix Pty Ltd (\$276,870) is the lowest priced tender. The Tender Planning and Evaluation Committee has considered each of the selection criteria and Hardings Hotmix Pty Ltd has ranked highest overall and therefore offers Council the best value for money.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 22 August 2020 and tenders were also advertised on Council's web site.

FINANCIAL IMPLICATIONS

The 2020/21 capital expenditure budget includes three allocations for the proposed works. The available budget for the work is shown below in Table 2

TABLE 2

No.	Project	Allocation
1	CT0271 Mersey Bluff Traffic Improvements – Stage 2 (total budget \$265,000) *	\$180,000
2	CT0288 Mersey Bluff Traffic Improvements – Stage 3 (total budget \$300,000) **	\$135,000
3	CP0176 Mersey Bluff - bin compound	\$5,000
	TOTAL	\$320,000

* \$85,000 of the available budget from project CT0271 was spent on a new path between the Bass Strait Maritime Centre and the coastal pathway in 2019-20, leaving \$180,000 for this work package.

** It is estimated that the other initiative to be completed from the CT0288 budget - angled parking and path renewal on Bluff Road - will cost \$165,000 leaving \$135,000 for this work package

The breakdown of the forecast expenditure for this project is shown below in Table 3.

TABLE 3

No.	Tender	Budget (ex GST)
	Contract	\$276,870
	Project management/administration	\$14,000
	Telstra works	\$6,236
	Taswater ESTIMATED	\$6,000
	Tasnetworks	\$4,584
	Sign purchase ESTIMATED	\$8,500
	Tree purchase	\$700
	Construction contingency 10%	\$27,687
	TOTAL	\$344,577

A review of the project, after the close of tenders, has identified a number of potential savings which are being investigated in conjunction with the successful contractor. This includes a small reduction to the total landscaped garden area, reduction in plantings from the originally proposed 1,800 small-species plants, and direct supply of planting stock by Council. These savings are likely to reduce project costs by up to \$30,000, which would ensure the project does not exceed the budget allocation.

RISK IMPLICATIONS

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

The contingency allowance for this project is 10% of the contract price. The risk of unforeseen variations is low.

CONCLUSION

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix Pty Ltd has achieved the highest total score and is therefore most likely to offer "best value" in relation to Contract CT0271 Mersey Bluff Traffic Improvements.

The forecast expenditure exceeds the available budget based on the tenders received however, the identified savings from the modified landscaping works will reduce the total expenditure to within the available budget.

ATTACHMENTS

Nil

5.3 PUBLIC LIGHTING STRATEGY 2021-26 - DRAFT FOR CONSULTATION

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

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

RECOMMENDATION

That the report relating to the draft Public Lighting Strategy 2021-26 be received and noted, and the release of the Strategy for a 30-day public consultation period be endorsed.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 1.1.2 Investigate innovative ways of accessing alternative power sources including renewable energy
- Strategy 1.4.3 Lead and actively promote emissions minimisation
- Strategy 2.3.2 Provide and maintain roads, bridges, paths and car parks to appropriate standards
- Strategy 2.3.4 Provide and maintain Council buildings, facilities and amenities to appropriate standards
- Strategy 2.3.5 Provide and maintain sustainable parks, gardens and open spaces to appropriate standards
- Strategy 4.1.3 Promote passive recreational usage including walking, bike paths, trails, parks and playspaces

SUMMARY

This report presents the draft Public Lighting Strategy 2021-26 to Council for noting, and endorsement of the proposed public consultation process.

BACKGROUND

Council adopted a Public Lighting Strategy in 2015 and has delivered on actions to achieve the objectives of that Strategy.

A review of that Strategy is included in Council's 2020-21 Corporate Action Plan.

The draft Public Lighting Strategy 2021-26 has been prepared to further contribute to the completion of objectives and achievement of goals outlined in Council's Strategic Plan 2009-2030.

STATUTORY REQUIREMENTS

Section 21 of the *Local Government (Highways) Act 1982* states:

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

Section 32 of the *Local Government (Highways) Act 1982* states:

(2) The corporation of a municipality may light, or arrange for the lighting of, a local highway within the municipality or a public place in the municipality that is not a local highway.

Both of these sections confirm that Council is responsible for the lighting of roads and public places.

DISCUSSION

Council provides around 3,500 lights to roads, car parks and open space with a budget of \$760,000 per year to operate and maintain. The key challenges faced are:

- "Living lightly", i.e. reducing our environmental footprint and energy consumption
- Managing the cost of public lighting
- Determining and providing the appropriate level of service in various situations

The objectives of the Public Lighting Strategy 2021-26 are reflective of the challenges faced by Council when providing public lighting for the community.

1. Public lighting is environmentally sustainable
2. Public lighting is financially sustainable
3. Public lighting meets the needs of the community

The Action Plan proposes the activities, timing and resources required to achieve the above objectives and defines the indicators of progress against the objectives.

Releasing the draft Strategy for public consultation provides the opportunity for input from key stakeholders and interested parties, which will assist in ensuring the Strategy aligns with the expectation of the community. Consultation will be conducted via Council's established online engagement platforms and will be open for a period of 30 days.

COMMUNITY ENGAGEMENT

Community engagement has not been undertaken in the preparation of this report. Community feedback on the draft Strategy will be sought before it is adopted by Council.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from this report.

RISK IMPLICATIONS

- Corporate and Business
Council requires current and relevant strategic documents to inform decision making at all levels.
- Consultation and/or Communication
Consulting on the draft Strategy enables the community to have input into a document that will inform decision making.

CONCLUSION

The draft Public Lighting Strategy 2021-26 has been prepared to further contribute to the completion of objectives and achievement of goals outlined in Council's Strategic Plan 2009-2030.

The objectives of the Strategy are reflective of the challenges faced by Council when providing public lighting for the community

1. Public lighting is environmentally sustainable
2. Public lighting is financially sustainable

3. Public lighting meets the needs of the community

Release of the draft Strategy for a 30-day public consultation period will provide the community with an opportunity to provide input before the Strategy is adopted by Council.

ATTACHMENTS

1. Public Lighting Strategy 2021-26 [**5.3.1** - 15 pages]

5.4 FINANCIAL ASSISTANCE SCHEME - ROUND ONE 2020/2021

Author: **Karen Hampton, Community Services Manager**

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

RECOMMENDATION

That Council receive and note the Financial Assistance Scheme report and approve the Major and Minor Grants for Round One of the 2020/2021 Community Financial Assistance program as follows:

Major Grants

East Devonport Football Club	\$12,500
Devonport Judo Club	\$15,000

Minor Grants

Devonport Scout Group	\$2,000
Working it Out	\$600
Mersey Rowing Club	\$593
Devonport Volleyball Association	\$2,200

Rate Remissions

Mersey Community Care Association Inc	\$3,082.25
Don River Railway	\$9,574.17
East Devonport Tennis Club	\$1,154.20
Mersey Rowing Club Inc	\$1,617.91
Cancer Council Tasmania	\$3,481.38
Lifeline Tasmania	\$2,901.65
Scouts Australia Tasmanian Branch Mersey District	\$3,472.74
1st Spreyton Scouts. Scout Association of Australia	\$1,105.39
Devonport Girl Guides	\$1,447.07

COVID-19 Impact Grants

Devonport Judo Club	\$2,500
East Devonport Football Club	\$2,500
Devonport Choral Society Inc	\$2,500
Devonport Athletic Club	\$2,500
Mersey Valley Pony Club	\$2,500
Spreyton Football Club Inc	\$2,500
Devonport RSL Sub-branch Inc	\$2,500
Devonport City Soccer Inc	\$2,500
Right on Cue Choir	\$2,500
Devonport Little Athletics	\$2,500
Don Cricket Club	\$1,800
Devonport Men's Shed	\$1,500
Devonport Cricket Club	\$2,500

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 4.7.3 Promote the equitable distribution and sharing of resources throughout the community that supports the delivery of quality outcomes

SUMMARY

This report presents the outcomes of the Community Financial Assistance Working Group deliberations and seeks endorsement of the Group's recommendations in relation to submissions for Round One of the 2020/21 grant program.

BACKGROUND

Through the provision of its Financial Assistance Scheme, the Council supports projects, programs and activities developed for the benefit of Devonport's residents and visitors. This Financial year, six (6) areas of assistance are available as follows:

- Major Grants/In-Kind Grants – provide \$3,000 - \$25,000 support for community development, community events, community facilities, cultural development, cultural heritage, festivals and events, economic development, sport recreation and healthy living.
- Minor Grants – provide up to \$3,000 to organisations to deliver programs that enhance community development, community events, community facilities, cultural development, cultural heritage, festivals and events, economic development, sport recreation and healthy living.
- Rate Remissions – provide rate support for social, cultural, environmental, sport and recreational initiatives and events held that attract locals and visitors creating commercial benefits for the City.
- Donations – provide assistance to groups, organisations or individuals within the City who are not eligible for sponsorship under any other Financial Assistance Program.
- Individual Development Grants – provide support for individuals, groups or teams who are performing, competing or presenting at national or international competitions, conferences or events.
- COVID-19 Impact Assistance Grants – provide assistance to local community and sporting organisations financially impacted by the COVID-19 pandemic. This is a new funding source established to assist community groups and sporting organisations who have lost income as a direct result of COVID-19.

The Community Financial Assistance Working Group members are:

Mayor Rockliff;
Councillor Hollister;
Councillor Murphy;
Karen Hampton – Community Services Manager; and
Geoff Dobson – Convention and Art Centre Director.

STATUTORY REQUIREMENTS

Section 77 of the *Local Government Act 1993* outlines Council's requirements in regard to grants and benefits:

- (1) *A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.*

(1A) A benefit provided under subsection (1) may include –

- (a) In-kind assistance; and
- (b) Fully or partially reduced fees, rates, or charges; and
- (c) Remission of rates or charges under Part 9.

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

The details of awarded grants will be reported in Council's 2020/2021 Annual Report.

DISCUSSION

The Working Group members are appointed by Council to assess the applications against the relevant guidelines for the following grants/donations.

- Major Grants;
- Minor Grants;
- Rate Remissions;
- In Kind Assistance Grants;
- Donations;
- Individual Development Grants; and
- COVID-19 Impact Assistance Grants

Applications for Donations, In Kind Assistance Only Grants and Individual Development Grants are open throughout the 2020/2021 financial year and are generally assessed and approved if appropriate, by the Financial Assistance Working Group the first week of each month.

Four applications were received for the Major Grants funding. The successful applications recommended by the Working Group to receive support, subject to any conditions as outlined, are listed below. A separate table details the unsuccessful applications.

SUCCESSFUL applications:

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
East Devonport Football Club	Girdlestone Park Changeroom Upgrade	\$25,000	\$25,000	\$12,500 *subject to Federal and State Lighting/Changeroom Funding be expended first and detailed costings provided
Devonport Judo Club	Purpose fit the former Gymnastics room at the Devonport Recreation Centre	\$33,712	\$15,000	\$15,000
Total				\$27,500.00

UNSUCCESSFUL applications:

Organisation	Project description	Total value of project	Amount requested	Not approved for funding
Mersey Community Care Association	Ride on mower and a trailer	\$13,874.08	\$13,874.08	Nil

Minor Grants

Five applications were received for the Minor Grants funding. The following initiatives are recommended to receive support, subject to any conditions as outlined. A separate table shows those unsuccessful with their applications.

SUCCESSFUL applications:

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
Devonport Scout Group (auspiced by Rotary Club of Devonport)	Camping equipment	\$4,000	\$2,000	\$2,000
Mersey Rowing Club Inc	2x Olympic Barbells	\$1,186	\$593	\$593
Devonport Volleyball Association	New Volleyball Equipment	\$4,430	\$2,200	*\$2,200
Working It Out Inc	Making Inclusion Stick	\$3,248.77	\$3,248.77	\$600 *for project promotion costs, postage and administration
Total				\$5,393

UNSUCCESSFUL applications:

Organisation	Project description	Total value of project	Amount requested	Not approved for funding
Coast FM Inc	Upgrade to Devonport transmitter site	\$2,270	\$2,270	Nil
Gateway Church	Combined Churches Easter Event	\$9,600	\$3,000	Nil Note: Group will receive the Community Rate for hire of the paranaple convention centre

Rate Remissions

Ten applications were received for the Rate Remissions funding. The following properties are recommended by the Working Group to Council to receive a remission of the General Rate.

SUCCESSFUL applications:

Organisation	Property Address	Rates payable	Amount Recommended
Mersey Community Care Association Inc	167 Steele Street DEVONPORT TAS 7310	\$3,082.25	\$3,082.25
Don River Railway	24 Forth Road DON TAS 7310	\$9,574.17	\$9,574.17
East Devonport Tennis Club	48-50 Wright Street EAST DEVONPORT TAS 7310	\$1,154.20	\$1,154.20
Mersey Rowing Club Inc	52 River Road AMBLESIDE TAS 7310	\$1,617.91	\$1,617.91
Cancer Council Tasmania	45 Best Street, DEVONPORT TAS 7310 *leased portion of property	\$3,481.38	\$3,481.38
Lifeline Tasmania		\$2,901.65	\$2,901.65
Scouts Australia Tasmanian Branch Mersey District	342 Pumping Station Road FORTH TAS 7310	\$3,472.74	\$3,472.74
1st Spreyton Scouts. Scout Association of Australia	96 Mersey Main Road SPREYTON TAS 7310	\$1,105.39	\$1,105.39
Devonport Girl Guides	56a Forbes Street DEVONPORT TAS 7310	\$1,447.07	\$1,447.07
Total			\$27,836.76

COVID-19 Impact Assistance

Thirteen applications were received for the inaugural COVID-19 Assistance funding. The following organisations and clubs are recommended by the Working Group to receive support. Note: Any sundry debt to Council will be removed from the amount awarded to organisation or club.

SUCCESSFUL applications:

Organisation	Amount Requested	Amount Recommended
Devonport Judo Club	\$2,500	\$2,500
East Devonport Football Club	\$2,500	\$2,500
Devonport Choral Society Inc	\$2,500	\$2,500
Devonport Athletic Club	\$2,500	\$2,500
Mersey Valley Pony Club	\$2,500	\$2,500
Spreyton Football Club Inc	\$2,500	\$2,500
Devonport RSL Sub-Branch Inc	\$2,500	\$2,500
Devonport City Soccer Club Inc	\$2,500	\$2,500
Right on Cue Choir	\$2,500	\$2,500
Devonport Little Athletics	\$2,500	\$2,500
Don Cricket Club	\$1,800	\$1,800
Devonport Men's Shed	\$1,500	\$1,500
Devonport Cricket Club	\$2,500	\$2,500
	Total	\$30,800

COMMUNITY ENGAGEMENT

Details of the Financial Assistance Scheme, including the application process are available on Council's website.

A media release was issued as well as Council's social media used to advise of the opening of the Financial Assistance Scheme. Links to the website page were emailed to:

- Past and present Special Interest Group Members;
- Strategic Special Committee Members;
- Individuals and Organisations who had registered (via the Council website) to receive information on Council's Financial Assistance Scheme;
- 2015-2020 grant recipients; and
- Organisations who had previously received Parking Passes.

FINANCIAL IMPLICATIONS

The approved grants will be funded through the 2020/2021 Community Financial Assistance budget allocation.

The 2020/2021 Financial Assistance Major Grants allocation is \$75,000 with Round One expenditure amounting to \$27,500 leaving a balance of \$47,500 for Round Two.

The 2020/2021 Financial Assistance Minor Grants allocation is \$65,000 with the Round One expenditure totalling \$5,393, leaving a balance of \$59,607 remaining for Round Two.

The 2020/2021 Financial Assistance Rate Remissions Grants allocation is \$30,800 with expenditure totalling \$27,836.76.

The 2020/2021 Financial Assistance COVID-19 expenditure totals \$30,800.

RISK IMPLICATIONS

There is a risk that organisations that have applied and have been unsuccessful may be critical of Council's decision in relation to the allocation of the funds.

There is a risk that organisations that have been successful may be unable to deliver agreed outcomes.

CONCLUSION

The 2020/2021 Financial Assistance Working Group recommends that Council approve the Round One Major and Minor Grants to the value of \$32,891.

The 2020/2021 Financial Assistance Working Group recommends that Council approve the Rate Remissions Grants to the value of \$27,836.76.

The 2020/2021 Financial Assistance Working Group recommends that Council approve the COVID-19 Assistance Grants to the value of \$30,800.

A copy of the applications can be made available upon request prior to the Council meeting should any Councillors wish to view them.

ATTACHMENTS

Nil

5.5 RANT ARTS PARTNERSHIP AGREEMENT

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

RECOMMENDATION

That Council

1. endorse the Partnership Agreement with RANT Arts; and
2. agree to lease 45-47 Stewart Street Devonport to RANT Arts for a period of 12 months as per the attached lease agreement.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.2 Cultural facilities and programs are well planned and promoted to increase accessibility and sustainability

SUMMARY

This report provides Council with details of a Partnership Agreement with RANT Arts in relation to the lease of 45-47 Stewart Street.

BACKGROUND

RANT Arts is a not-for-profit peak arts organisation currently based in Launceston. RANT acts as a creative producer, facilitator, administrator, and advocate for the arts. Key priorities for RANT include regional arts, youth arts and health, and disability and wellbeing in the arts. RANT also administers the Federal Regional Arts Fund (RAF) for Tasmania.

On Monday 14 September, Nathan Tucker, Co-Director of RANT, presented an expression of interest to Council for the relocation of RANT from Launceston to Devonport. RANT have identified the premises at 45-47 Stewart Street (former Devonport Regional Gallery), as their preferred location.

The premises have been vacant since November 2018, when the Devonport Regional Gallery relocated to the parnaple arts centre. It is currently advertised as a commercial rental opportunity with Michael Burr Real Estate, listed at \$39,000pa.

RANT requested the waiving of the rental fees throughout an initial 12-month establishment period and detailed for Council a range of benefits they would provide to Devonport and the surrounding region. Benefits included advocacy, community cultural development and conceptual festival development.

STATUTORY REQUIREMENTS

Any benefit provided to RANT will be noted in the Annual Report in accordance with the *Local Government Act 1993*.

DISCUSSION

As a not-for-profit arts organisation, RANT is focused on building the capacity of Tasmanian artists, arts workers, organisations, and communities. RANT has an established track-record of providing a wide range of support services and RANT has experience in delivering major arts projects.

RANT programming includes a state-wide focus, however much of the programming is designed to create opportunities for people living outside of the greater Hobart area. Activities undertaken lead to a range of benefits such as audience growth, engagement and satisfaction; creative and cultural development; increase in community participation rates; and the delivery of innovative cultural experiences.

RANT has requested a partnership with Council by way of financial assistance to establish the organisation in Devonport. This assistance specifically relates to the waiving of rental fees for 12-months for the premises at 45-47 Stewart Street. Council will negotiate a commercial agreement that is suitable to both parties that will commence at the conclusion of the initial 12 month rent free period.

RANT is a not-for-profit arts organisation that provides a service to the public and delivers community cultural benefit. RANT is assisted by the State Government, through Arts Tasmania, and RANT administers the Regional Arts Fund for Tasmania. The RAF is an Australian Government program that supports sustainable cultural development in regional and remote communities throughout Australia.

A Partnership Agreement has been prepared detailing the responsibilities and actions required of RANT Arts that would result in a range of potential benefits to Devonport. These benefits include, but not limited to:

- a) Raise the profile of Devonport as an arts active city.
- b) Provide a resource to support and empower local artists and cultural activators.
- c) Provide a facility for community cultural development activities, events and workshops.
- d) Deliver innovative arts projects focussed on community engagement and participation.
- e) Provide pathways, partnerships and communication channels for the creative industries and young people in the region.
- f) Cultivate new arts opportunities in the region, examining the concept and feasibility of festival style programming.

The Partnership Agreement details a series of performance indicators against these benefits, allowing Council to assess the impact RANT will have in the community. The indicators will provide a quantitative, measurable result of the Council's financial support.

The benefits directly align with a range of aims identified in the Devonport City Council 2009 – 2030 Strategic Plan:

- | | |
|--------------|---|
| Strategy 4.2 | A Vibrant City is created through the provision of cultural activities, events and facilities |
| Strategy 4.5 | Education and learning is accessible and responsive |
| Strategy 4.7 | An engaged community promotes and values diversity and equity |
| Strategy 4.8 | Young people are recognised and valued allowing them to reach their full potential |
| Strategy 5.2 | Promote active and purposeful community engagement and participation |

The alternative to accepting the RANT Arts proposal for 45-47 Stewart Street is to continue to pursue commercial lease terms. There has been limited interest in the premises and it is understood that the building, in its current form, is not suitable for a wide range of commercial activities.

COMMUNITY ENGAGEMENT

Community engagement has not been undertaken.

FINANCIAL IMPLICATIONS

The premises are currently listed by Michael Burr Real Estate for \$39,000pa plus outgoings.

The community and cultural development benefit expected from RANT's occupation of the premises is difficult to value in monetary terms. However, if Council wished to leverage the same outcomes by employing a dedicated resource to undertake similar duties from 45-47 Stewart Street, it would require a greater investment on behalf of Council than the anticipated commercial lease return.

Furthermore, RANT's proposal means the premises will be occupied and active, with outgoings covered by the tenant.

Important to note, that the Agreement is for a period of 12-months from the date of signing and it is anticipated Council will negotiate with RANT agreeable commercial terms suitable to both parties moving forward.

RISK IMPLICATIONS

By providing a 12-month rent waiver, Council acknowledge that the community cultural benefit of RANT's occupation of 45-47 Stewart Street equals or exceeds that of the financial benefit of a commercial lease on the premises. The success of the partnership is to be assessed on a series of performance indicators. If RANT's performance against the indicators is of a low standard, Council will undoubtedly experience negative reputational feedback.

CONCLUSION

45-47 Stewart Street has remained unoccupied since the Devonport Regional Gallery relocated to the paranple arts centre in November 2018. The building has an established history as an arts centre. RANT Arts provides a viable opportunity for Council to both occupy the premises and provide community cultural benefit for the city.

After an initial 12-month establishment period, which includes the waiver of rental fees, the benefit of RANT Arts will be assessed against performance indicators detailed in the Partnership Agreement, with the view of negotiating agreeable commercial terms moving forward.

ATTACHMENTS

1. RANT Arts Partnership Agreement 2020 [5.5.1 - 5 pages]
2. RANT - Draft Lease Agreement - Stewart Street [5.5.2 - 15 pages]

5.6 DECEMBER EVENTS UPDATE

Author: **Karen Hampton, Community Services Manager**

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

RECOMMENDATION

That Council receive and note the report providing an update on planned events in Devonport during the month of December.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report will provide an update to Council and the community on events usually scheduled for December that have been impacted due to COVID-19.

BACKGROUND

At Council's meeting held 24 August, 2020, it was resolved as follows:

'Council determine to:

- a) *cancel the 2020 Christmas Parade on 1 October 2020 should the capacity of outdoor events not be lifted from 500 people;*
- b) *cancel the New Year's Eve event;*
- c) *run smaller COVID-19 safe community events throughout December; and*
- d) *allocate budget surplus to community social recovery action items.'*

Whilst the State Government recently announced the capacity of outdoor events being lifted from 500 people to 1,000 people, it has been determined that this is insufficient to support the scheduling of a Christmas Parade. The social distancing requirements are still in force and would have a significant impact on the Parade and its enjoyment.

As a result of the motion, planning for a December calendar of COVID safe family events has commenced.

STATUTORY REQUIREMENTS

The Director of Public Health declared a Public Health Emergency for Tasmania to help manage the implications of COVID-19. A number of public health measures have been implemented under the *Emergency Management Act 2006*, particularly relating to larger gatherings, to assist in alleviating the spread of COVID-19.

DISCUSSION

As well as Council organised and managed events, a number of community events will make up the December Calendar of events. Some of the activities which are being planned to date include;

- Santa tour throughout Devonport (in partnership with the Rotary Club of Devonport North)
- Don Twilight Market

- Free family Christmas movies on the big screen (upstairs at the paranapple centre should weather not permit outdoors screening)
- Window Displays - match schools and community groups to businesses as well as empty shop fronts to decorate
- Christmas Tree Panels - the traditional panels on the Christmas Tree in the Mall, painted by local school children
- Christmas Lights Festival - encourage people to light up their gardens, windows, and houses with Christmas lights. *Daytime displays could be made at houses without lights, using other materials with a map published highlighting where to find decorated homes
- Secret Santa - give-aways at shopping areas in Devonport - gift certificates, small gifts – in partnership with retailers
- Photo Opportunities - backdrops, photo wall in different shopping precincts - collect them all

Online activities will also be held throughout December including:

- Submit your best Christmas Recipe - publish recipe book prior to Christmas
- Week-long Facebook comps - 1 for each week including Pet Parade - dress up your pet in their best Christmas gear; Alternative/Unusual Christmas Tree - invite people to take a photo of their unusual Christmas "Tree"; Children's dress ups (categories) and Children's artwork similar to Rainbow Trail

Discussions and planning are still underway with a Calendar of events to be released in early November.

COMMUNITY ENGAGEMENT

Community engagement has not been undertaken in the development of this report. Engagement with retailers, community groups and other organisations has commenced and will continue to be undertaken regarding proposed activities in December.

FINANCIAL IMPLICATIONS

The budget currently has an allocation for the two cancelled events; the Christmas Parade and New Year's Eve, totalling \$55,500. These allocations will be used for the smaller family activities with the surplus being allocated to social recovery actions to assist members of the community who may be struggling due to COVID-19.

RISK IMPLICATIONS

- Legal Compliance
Several public health measures have been implemented under the *Emergency Management Act 2006* to assist in alleviating the spread of COVID-19, particularly relating to larger gatherings. Council will need to ensure compliance with these health measures.

CONCLUSION

Council officers are planning activities, programs and events which are designed to ensure that families have options throughout December for a wide variety of 'festive fun' whilst ensuring adherence to COVID-19 restrictions and limitations. Marketing and promotion of the activities will commence shortly.

ATTACHMENTS

Nil

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

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

DISCUSSION

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

Date	Description	Purpose
12 October 2020	Don Irrigation Scheme	A presentation of the proposed Don Irrigation Scheme.
	Providore Place	Discussion regarding possibility of reinstating markets prior to Christmas.
	Cradle Coast Authority	An update by CEO Daryl Connelly and Board Chair Sid Sidebottom.
	Devonport Soccer Club	Representatives gave an update on the Women's World Cup to be held in Tasmania in 2023.
	Bluff Access Road	Discussion regarding the recent tender report that was deferred at the September Council meeting.
	TasWater	Update on the recent TasWater owners Representative meeting.

6.2 MAYOR'S MONTHLY REPORT

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report details meetings and functions attended by the Mayor.

BACKGROUND

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

STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

DISCUSSION

In her capacity as Mayor, Councillor Annette Rockliff attended the following meetings and functions between 24 September and 21 October 2020:

- Council meetings
- Workshops
- Regular meetings with General Manager
- Catch ups with staff members and councillors as required
- Met with Community members on a range of topics
- Media as requested: Martin Agatyn (Tasmania Talks and 7AD)
- With the General Manager attended the TasWater Owners Representatives Meeting in Launceston
- Performed a Citizenship Ceremony with six new citizens
- Attended the Annual Dinner of the NW Branch of the Master Builders' Association
- Guest speaker at the Tasmanian Arboretum AGM
- Attended Dulverton Representatives Subcommittee meeting re Board vacancies (x 2)
- Attended forum with UTAS re its role in our region
- Attended meeting of the Rural Clinical School Community Advisory Group
- Presented medals and certificates to finalists of the Devonport Junior Basketball Tournament
- Hosted the 50+ years Ratepayers Lunch
- Attended NW Suicide Prevention Trial Site meeting re evaluation
- Attended NW Film Society's Seniors Week presentation
- Attended meeting of the LGAT General Management Committee (x2)
- Attended the official opening of the Mersey Yacht Club 2020-21 season

- Attended Gran's Van AGM
- Took part in East Devonport Primary School's Book Week events
- Met with Children's University coordinator
- Attended Commuter Breakfast as part of Council's Ride2Work Day activities

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT - OCTOBER 2020

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, between 23 September and 20 October 2020. It also provides information on matters that may be of interest to Councillors and the community.

BACKGROUND

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

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, and Council Meetings as required.
- 1.3. Meeting with representative from Surf Life Saving Tasmania regarding the establishment of a northern rescue base at the Mersey Bluff.
- 1.4. Briefing with Councillor Perry to discuss relevant matters relating to his appointment to the TasWater Owners Representatives Advisory Group.
- 1.5. Site Tour with Councillors of the Waterfront Park construction site
- 1.6. Meeting with the Deputy Electoral Commissioner to provide feedback on the process involved in maintaining the GM's roll to assist in preparation for the likely transfer of this responsibility to the Tasmanian Electoral Commission as part of the review of the Local Government Act 1993.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Meeting with a concerned resident regarding traffic and waste management issues
- 2.2. Attended the 50-year ratepayers' luncheon at the paranapple centre

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Attended the TasWater Owners Representative meeting with Mayor Rockliff
- 3.2. Attended State Board Meeting of Local Government Professionals
- 3.3. Attended condensed one-day State Local Government Professionals Conference in Cambell Town.

At the conference, former Devonport City Council General Manager, Paul West was awarded Life Membership of the organisation for his service to local government over a 35-year period, including 19 years as a General Manager at numerous Councils across the State. During his career, Mr West served as both State President and National President of LG Professionals.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. Nil

5. OTHER

- 5.1. LGAT CEO, Katrena Stephenson has announced her resignation from the organisation, with Dion Lester acting in the position from December 2020 until a replacement appointment is made.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

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

RISK IMPLICATIONS

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

CONCLUSION

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

ATTACHMENTS

1. Current and Previous Minutes Resolutions - October [6.3.1 - 1 page]

6.4 INFRASTRUCTURE AND WORKS REPORT

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

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

RECOMMENDATION

That Council:

1. receive and note the Infrastructure and Works report and;
2. endorse the new charge of \$20/m³ (inc. GST) for the sale of woodchips from the Spreyton Waste Transfer Station.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report provides a summary of the activities undertaken by the Infrastructure and Works Department during the months of August and September 2020.

BACKGROUND

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

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

STATUTORY REQUIREMENTS

Council is required to comply with the provisions of the *Local Government Act 1993* and other relevant legislation.

DISCUSSION

1. Capital Works Program

- 1.1. In August and September, progress was made on the Capital Works Program. Projects carried forward from 2019-20 are progressing, while the projects funded in 2020-21 are commencing. The Capital Works Income & Expenditure Report September 2020 is attached to this report.
- 1.2. Installation of inclusive play equipment at the Mersey Bluff playground is underway. This project has been jointly funded by Council and the Tasmanian Community Fund and has attracted donations from Central Coast Rotaract Club and the Rotary Club of Devonport. The project will enable children of all abilities to play on a wider range of accessible equipment.
- 1.3. Stormwater improvements outside 200 Steele Street have been completed. A sections of kerb footpath and driveways were reconstructed at new levels to prevent stormwater entering private properties.



- 1.4. Work on the path renewal in the Don Reserve is underway. Work includes safety improvements to three railway crossings on the Don River Railway line.



- 1.5. Don Rail Trail - delays have occurred in the land acquisition process and a considerable time remains in the process. Although the design and estimate are well advanced, it is now unlikely work will occur before March 2021.

1.6. The renewal and extension of a handrail at Mersey Bluff is underway.



1.7. Construction of the new Meercroft Park Pavilion is continuing.



- 1.8. Construction of new changerooms at the East Devonport Football Club is underway.



- 1.9. Lighting projects at Girdlestone Park and Maidstone Park are progressing through the detailed design and approvals processes, with work expected to commence at both sites during October.
- 1.10. The parking infrastructure renewal project is underway with single head meters being replaced with new multi bay meters in Fenton Street and Macfie Street.
- 1.11. Work to commence in October and November includes:
- Mersey Vale Memorial Park signage upgrades
 - Spreyton waste transfer station e-waste shelter
 - Steele Street and Percy Street intersection improvements
 - Asphalt and spray seal reseal programs

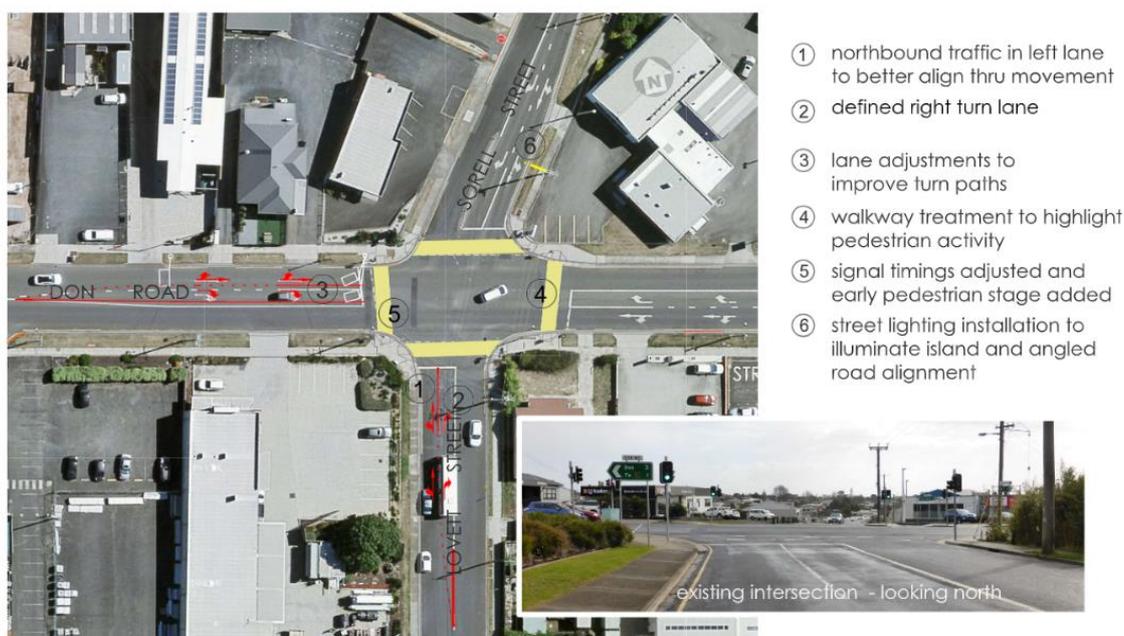
2. Management

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

- Limit of 50% infrastructure staff working from paraple centre
- Staggering of start times, break times and finish times
- Limitations on sharing of plant and vehicles

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

2.2. Council has secured \$40,000 from the Federal Government's 2020-21 black spot program to make safety improvements at the intersection of Don Road, Lovett Street and Sorell Street. This project was initiated following a review by the engineering team of crashes that have occurred at the site and was included in the 2020-21 capital works program subject to securing the external funding.



2.3. A submission has been made to the Federal Government's 2020-21 black spot program for safety improvements on Forth Road between Cutts Road and Lillico Road. An assessment of the crash data and inspection of the site highlighted an unforgiving road environment. The submission includes widening of the road to provide sealed shoulders, improved delineation and lighting at key locations.



Address run-off road crashes and night time crashes

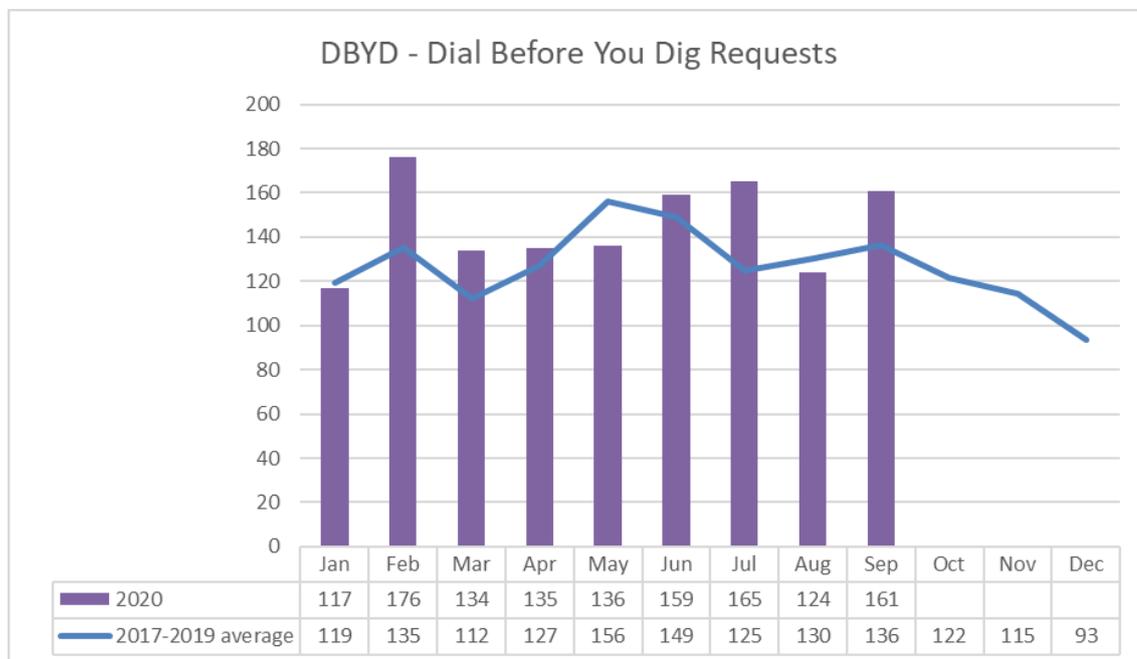
- ① Improve roadside edges by road shouldering and drivewable endwalls
- ② Improve delineation by re-establishing edgelines and installing guideposts
- ③ Upgrading lighting at key intersections

2.4. The Spreyton Waste Transfer Station has been accepting woodchips generated from work completed by contractors in Devonport's parks and reserves. It was intended that this product would be used on garden beds around the city, which has been effective. However, the supply of woodchips has increased beyond what is required for in-house use. It is intended to sell the surplus at a rate of \$20/m³ (inc GST), requiring this rate to be adopted as a new charge in Council's fees and charges for 2020-21.



3. Assessments and Approvals

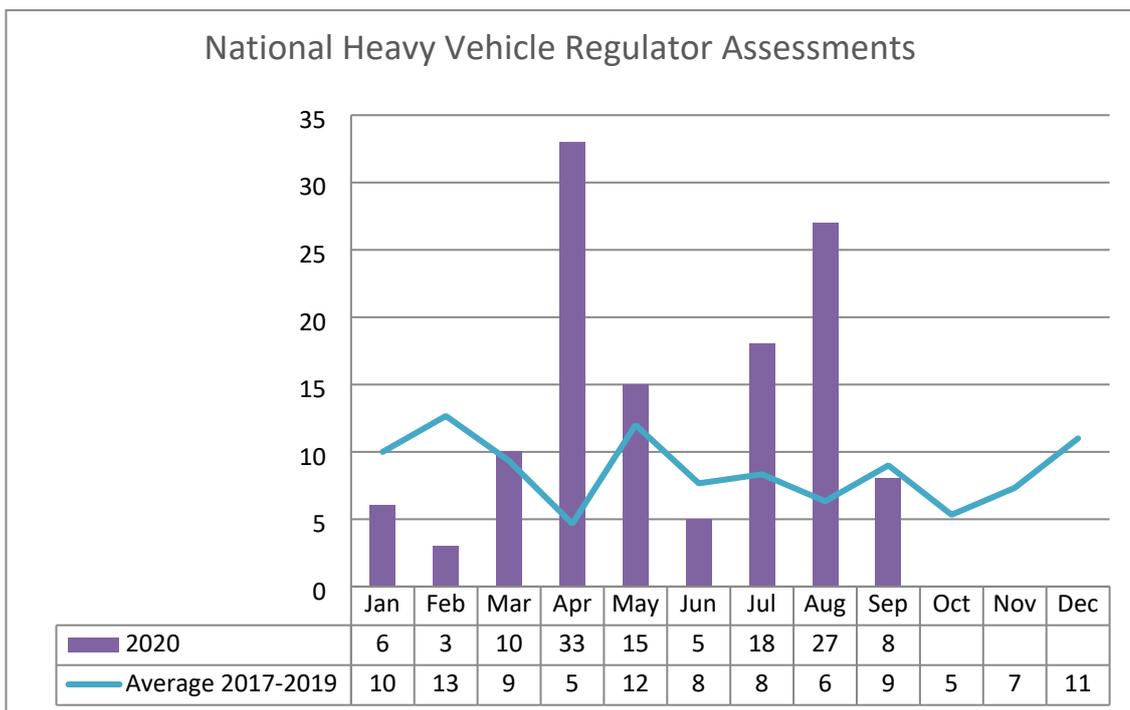
- 3.1. The following graph details the Dial Before You Dig Requests that have been assessed by the Infrastructure and Works Department this year compared to previous years:



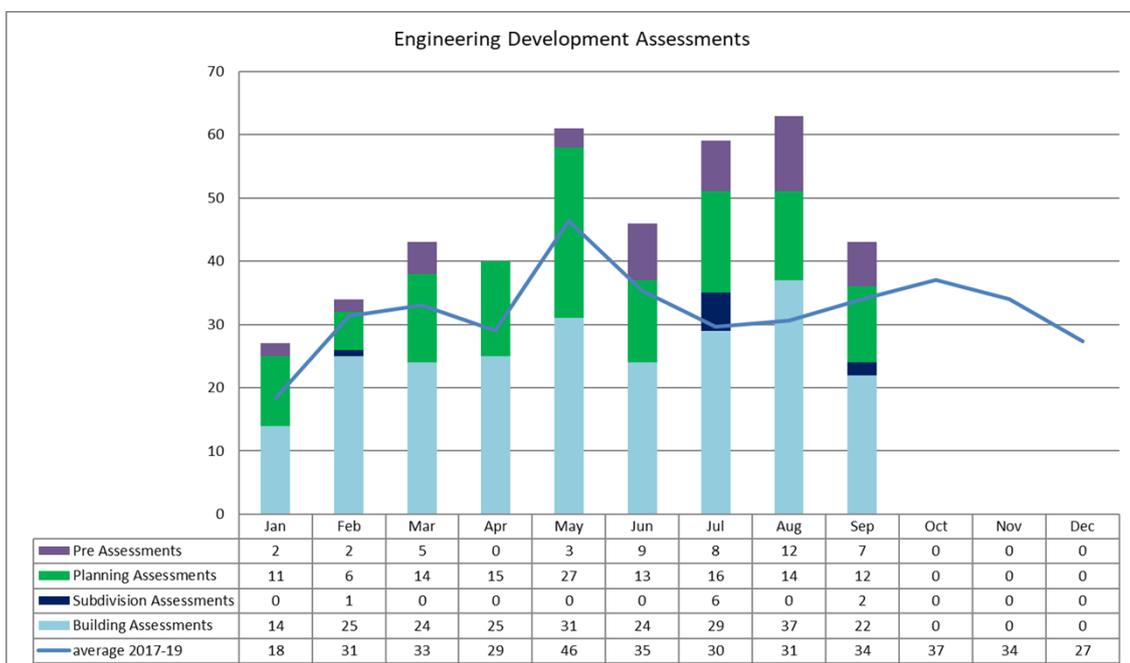
- 3.2. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	2
Total value of capitalisations in period	\$0.25M
Total value of Works in Progress (WIP) as at 30 Sep	\$11.60M
Donated Asset Capitalised (Subdivisions) in period	\$0
Number of projects awaiting capitalisation next period	17

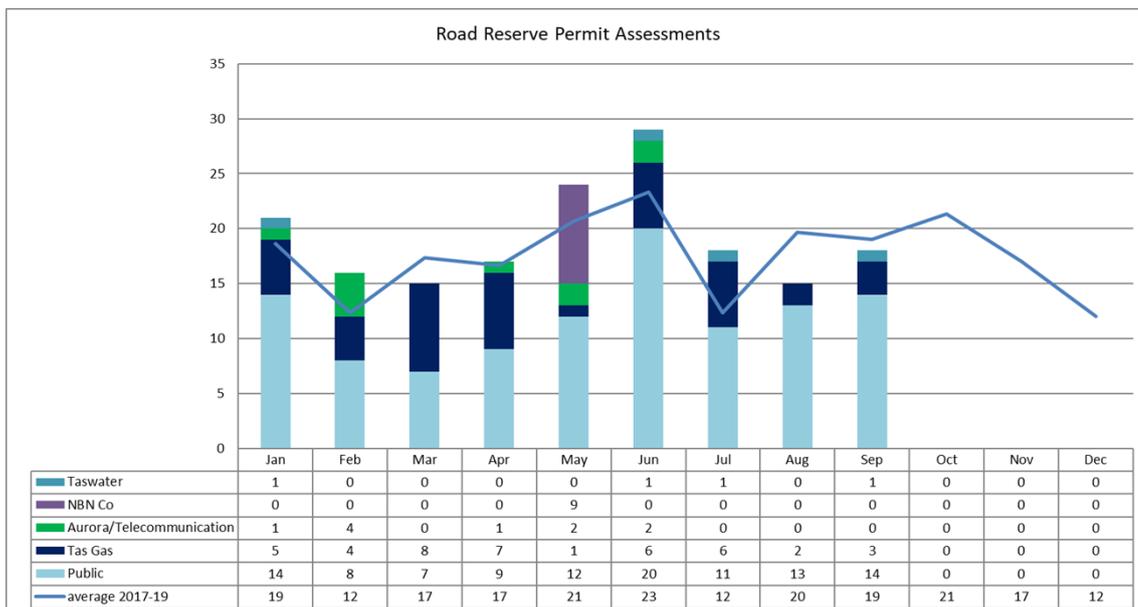
3.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



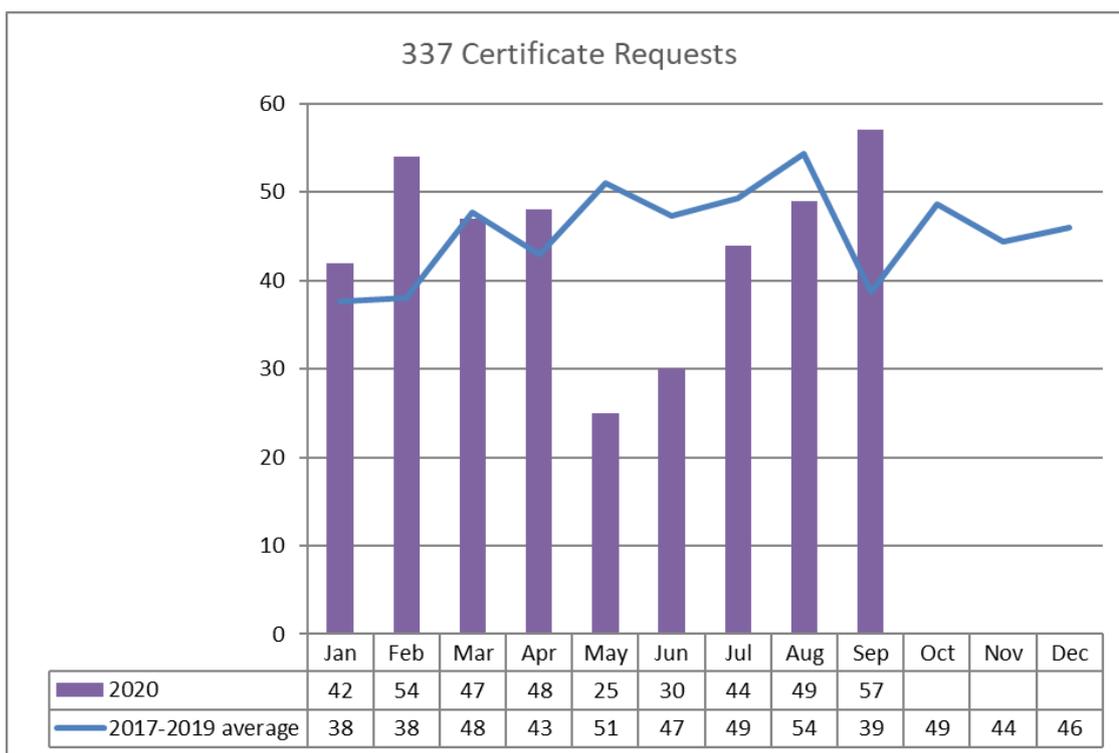
3.4. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



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



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



4. Operational Contracts

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

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

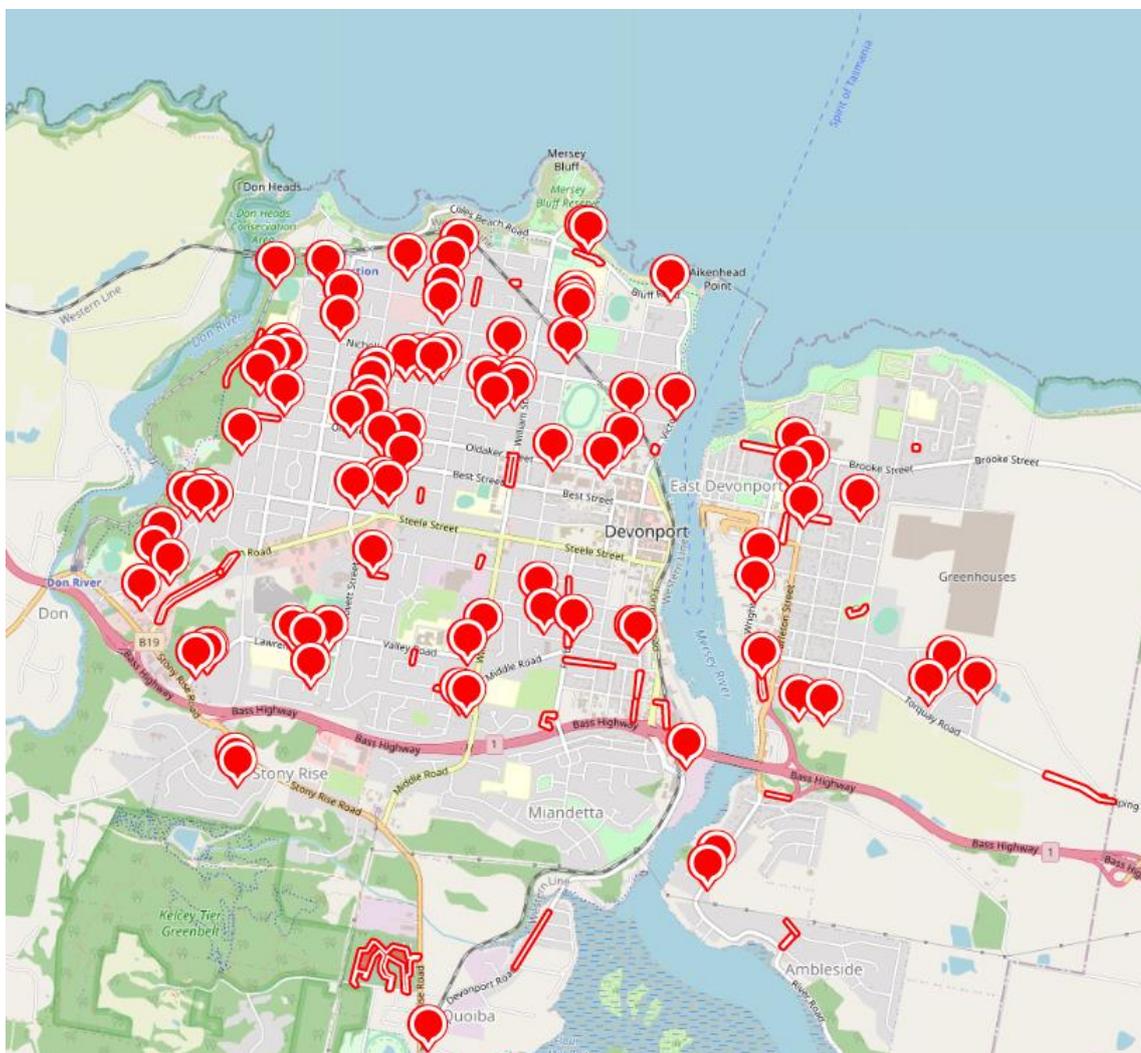
4.2. The following table details the new contracts entered into this financial year that are managed within the Infrastructure and Works Department:

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
Contract 1338 Supply & Delivery of Pre-Mixed Concrete	1/7/21 to 30/6/21 plus two extension options	Two 12-month extensions	Nominally \$51,262 per annum	Hazell Bros Group Pty Ltd

5. Works Management

5.1. The Infrastructure and Works Department progressed with 'go live' of major changes to asset management and works management processes, occurring under the Project Transform initiative on August 31st. This represents an important milestone for the project team, the Infrastructure and Works Department and Council, and will have significant short and long term benefits. This project will facilitate improvements to how work is identified, prioritised, planned and executed, and will ensure that capital and maintenance budgets are delivering the maximum possible benefit to the community through sustainable management of a \$500M portion of Council's asset portfolio.

One of the new tools available is the presentation of defects and customer requests spatially, as shown below. This allows more efficient planning of maintenance work.



Preparation of reporting on key asset management, works management and customer service indicators is underway with data to be provided in future reports.

6. Civil Works and Stormwater Maintenance

6.1. Maintenance in accordance with the Service Level Document, undertaken in August and September included:

- Footpath maintenance in Frond Place, Chichester Drive and Harvil Way
- Road patching in Nicholls Street and James Street
- Clearing a pipe blockage in Kerrie Court and replacing a section of pipe in 117 Mersey Main Road

6.2. In October and November, planned civil works and stormwater maintenance works will include:

- Rock lining of open drains in Tugrah Road and Kelcey Tier Road
- Footpath repairs in Leila Avenue
- Road repairs in Stephen Street and Wright Street

7. Parks and Reserves Maintenance

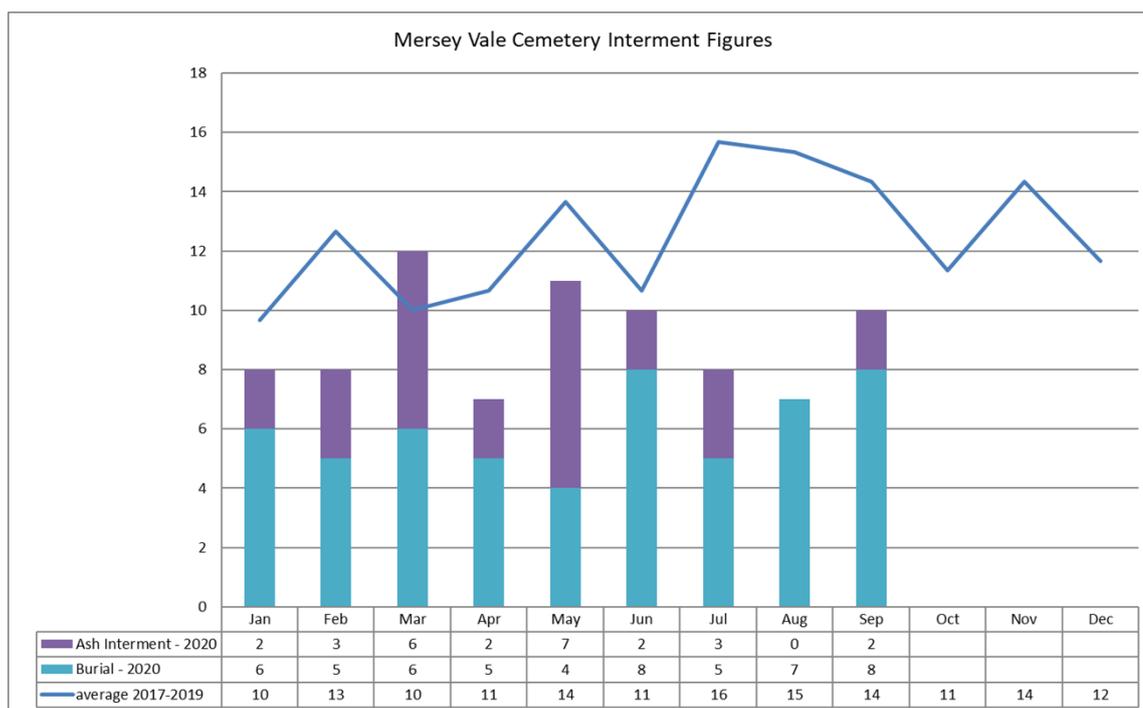
7.1. Maintenance in accordance with the Service Level Document, undertaken in August and September included:

- Trimming and removal of overhanging vegetation in Norton Way, along with removal of weeds and rubbish
- Commencement of planting in the Formby Road garden bed, between the southbound traffic lane and the eastern path.
- Preparation of Devonport Oval centre wicket area for cricket. The timing of this changeover was challenging due to the scheduling of football finals close to the scheduled commencement of the cricket season but was agreed to by both sporting bodies.
- Removal of overgrown vegetation at Aikenhead Point and replanting with native trees

7.2. In October and November, planned parks and reserves maintenance works will include:

- Completion of planting in the Formby Road garden bed
- Planting of Victoria Parade flower beds in preparation for Remembrance Day.
- Inspections of firebreaks in Kelcey Tier and Don Reserve

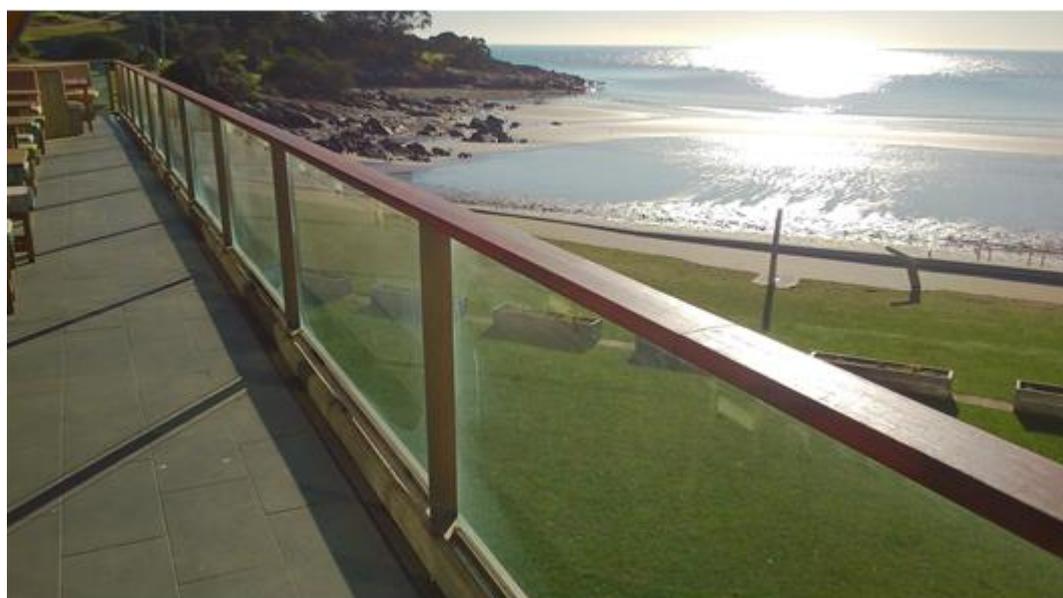
7.3. Mersey Vale Memorial Park interment figures compared to previous years are as follows:



8. Building and Facilities Maintenance

8.1. Maintenance in accordance with the Service Level Document, undertaken in August and September included:

- External painting of toilet block at Devonport Oval
- Replacement of gutters at Devonport Recreation Centre
- Cladding of Byard Park facilities, with cladding salvaged from Meercroft Park facilities prior to demolition
- Stain timber handrails at Surf Club and Mrs Jones



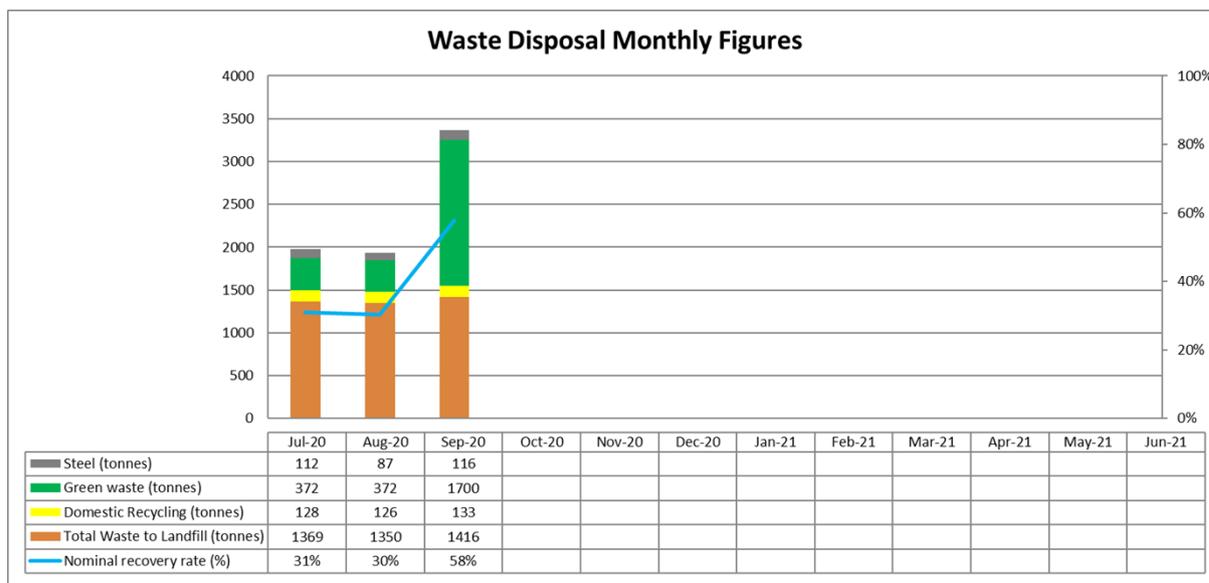
8.2. In October and November, planned building and facilities maintenance works will include:

- Assist with sport ground changeovers – removal of goal posts

- Stain BBQ shelters at Coles Beach
- Stain timber in public amenities at Vietnam Veterans Memorial Park
- Install Christmas Tree in Rooke Street Mall

9. Waste Management Operations

9.1. Waste Management Services were conducted in accordance with the Service Level Document during August and September. The following graph details the major waste disposal streams from the Spreyton Waste Transfer Station.



The large monthly increase in green waste reflects a targeted operation to transport the material from Spreyton to Dulverton under a new contract administered by Dulverton Waste Management. It does not reflect a large increase in material delivered to the Waste Transfer Station.

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

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

ATTACHMENTS

1. Capital Works Summary - September 2020 [6.4.1 - 3 pages]

6.5 DEVELOPMENT AND HEALTH SERVICES REPORT

Author: **Kylie Lunson, Development Services Manager**

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

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report provides a summary of the activities undertaken by the Development Services Department for the months of August and September 2020.

BACKGROUND

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

The Council functions undertaken by the Department are:

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

STATUTORY REQUIREMENTS

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

- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*
- *Building Act 2016*
- *Building Regulations 2016*
- *Public Health Act 1997*
- *Food Act 2003*
- *Environmental Management and Pollution Control Act 1994*
- *Dog Control Act 2000*
- *Devonport Interim Planning Scheme 2013*
- *Work Health and Safety Act 2012*

DISCUSSION

1. State Planning Scheme/Local Provisions Schedules

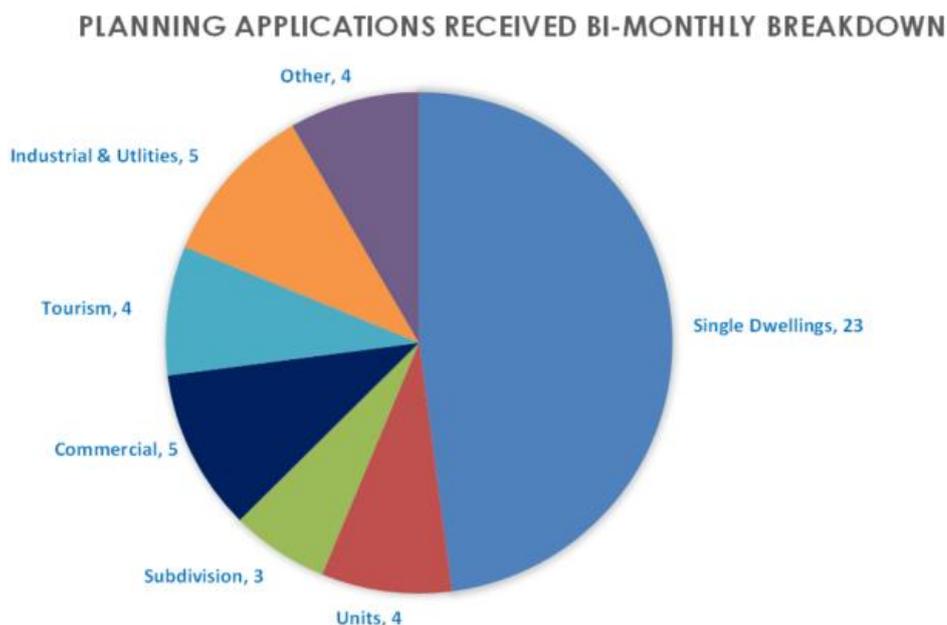
The Tasmanian Planning Commission (the Commission) has now completed its assessment of the draft Devonport Local Provisions Schedule (LPS) which has been prepared as part of the transition to the Tasmanian Planning Scheme. The Commission's decision is that the draft LPS is ready for approval pending a few final modifications. These modifications are generally those that Council recommended

following the public exhibition period. The process now is for Council to make these modifications before submitting the final version of the draft LPS back to the Commission who will then seek agreement from the Minister for Planning for official approval.

Once the Devonport LPS is formally approved and declared effective, the Tasmanian Planning Scheme will commence operation in the Devonport local government area and the existing Devonport Interim Planning Scheme 2013 will cease to have effect.

2. Planning

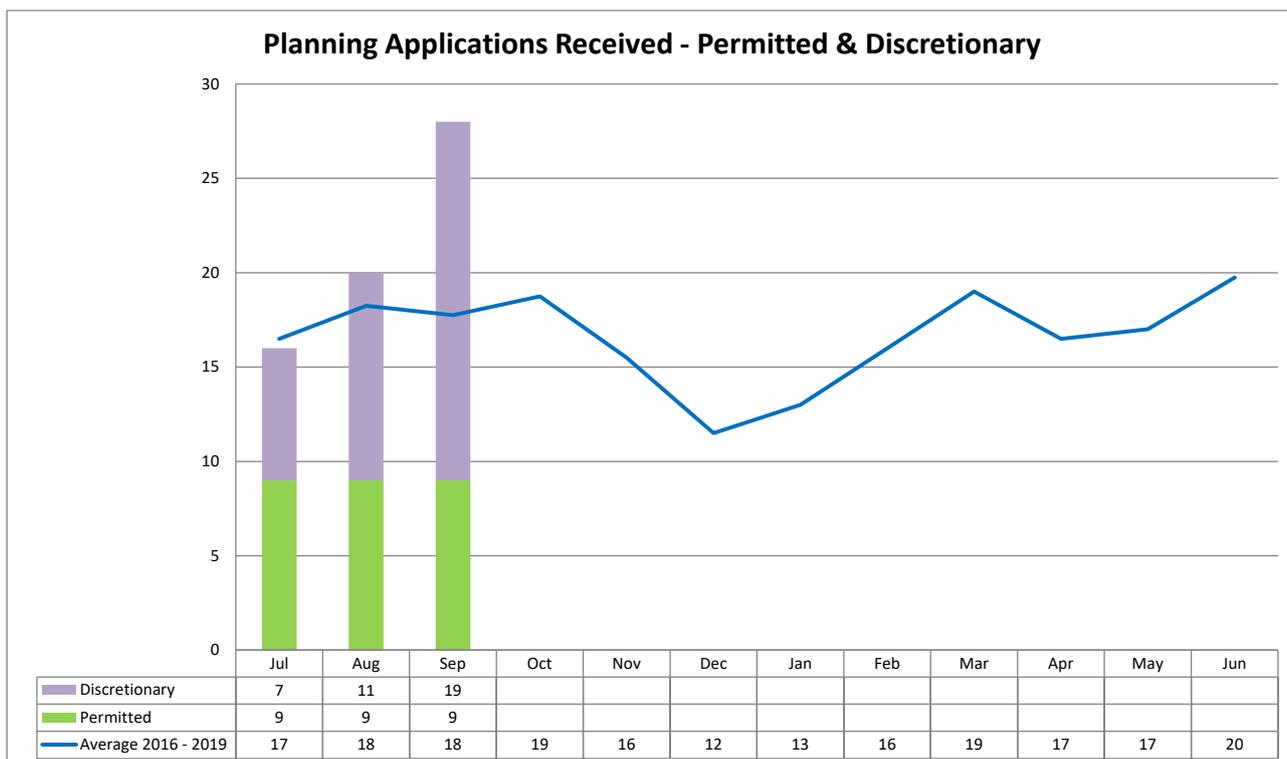
2.1. The following graph details the breakdown of planning applications received during August and September:



Note:

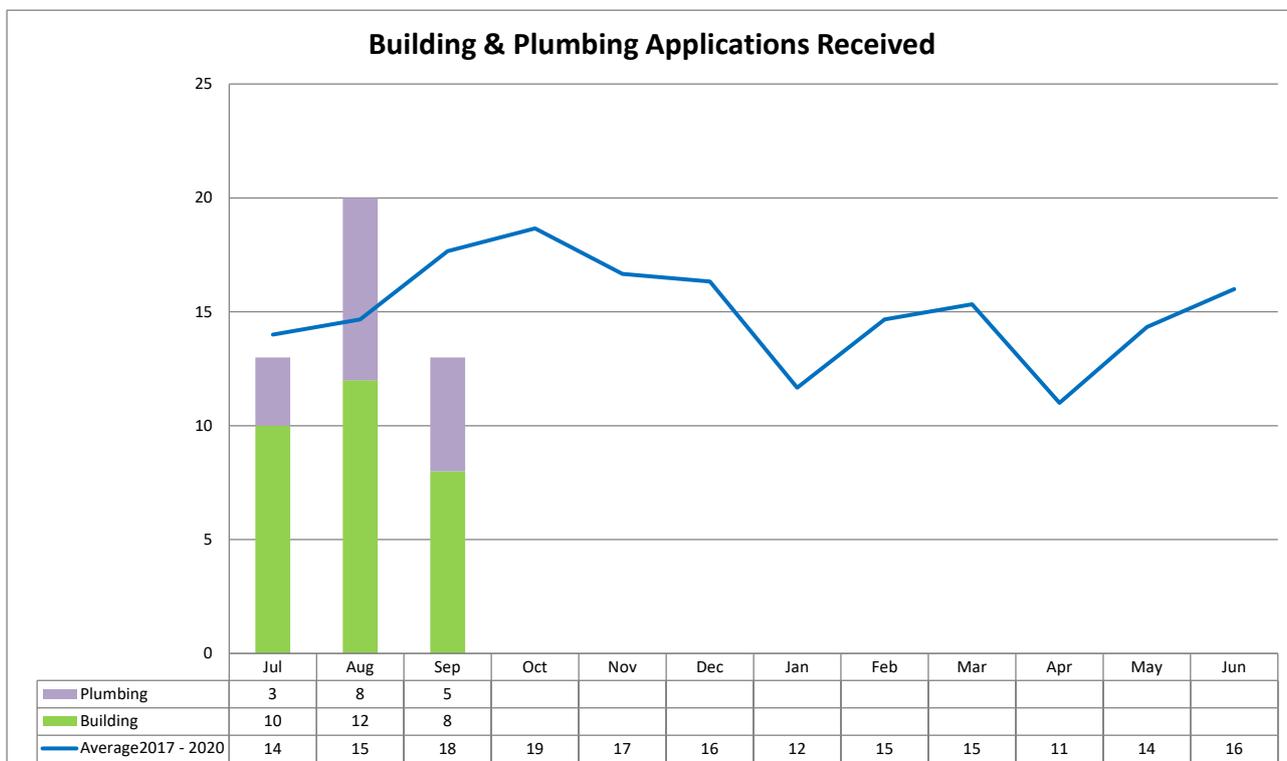
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales,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

2.2. 30 Discretionary Planning Applications and 18 Permitted Planning Applications were received in August and September. The following graph details the number of Planning Applications received compared to previous years:

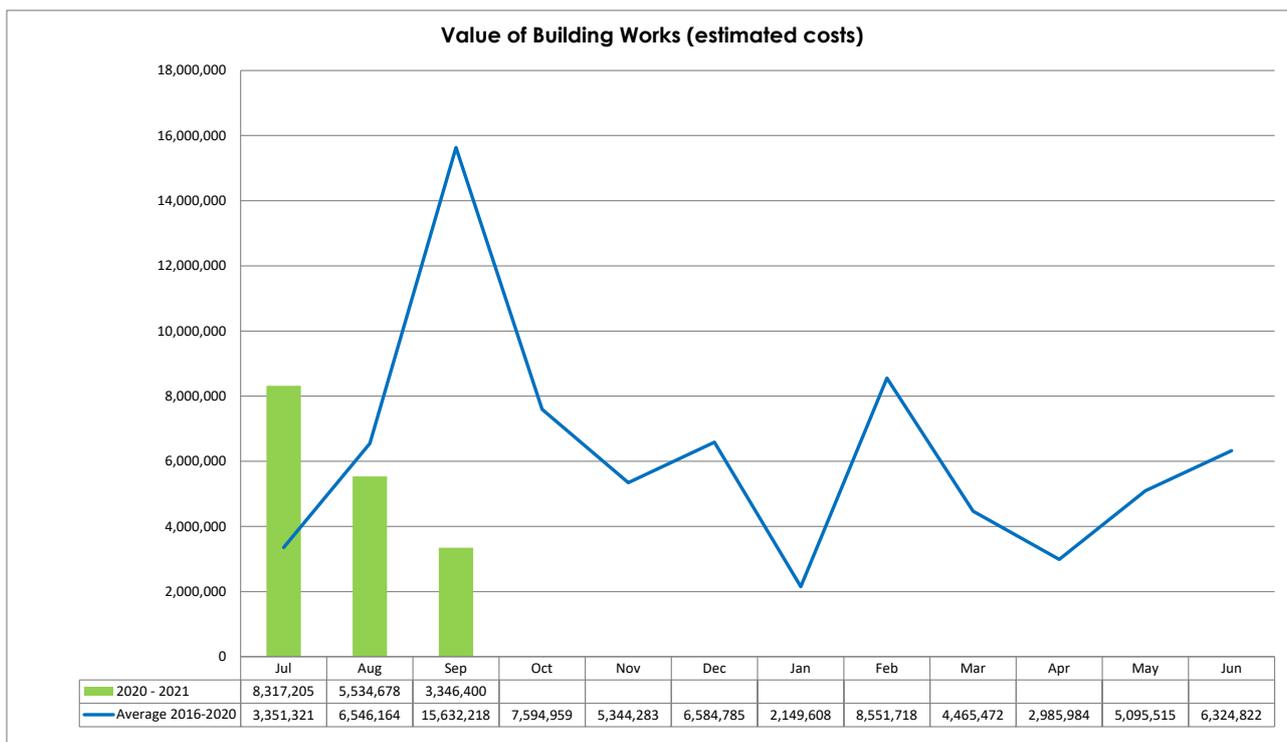


3. Building/Plumbing

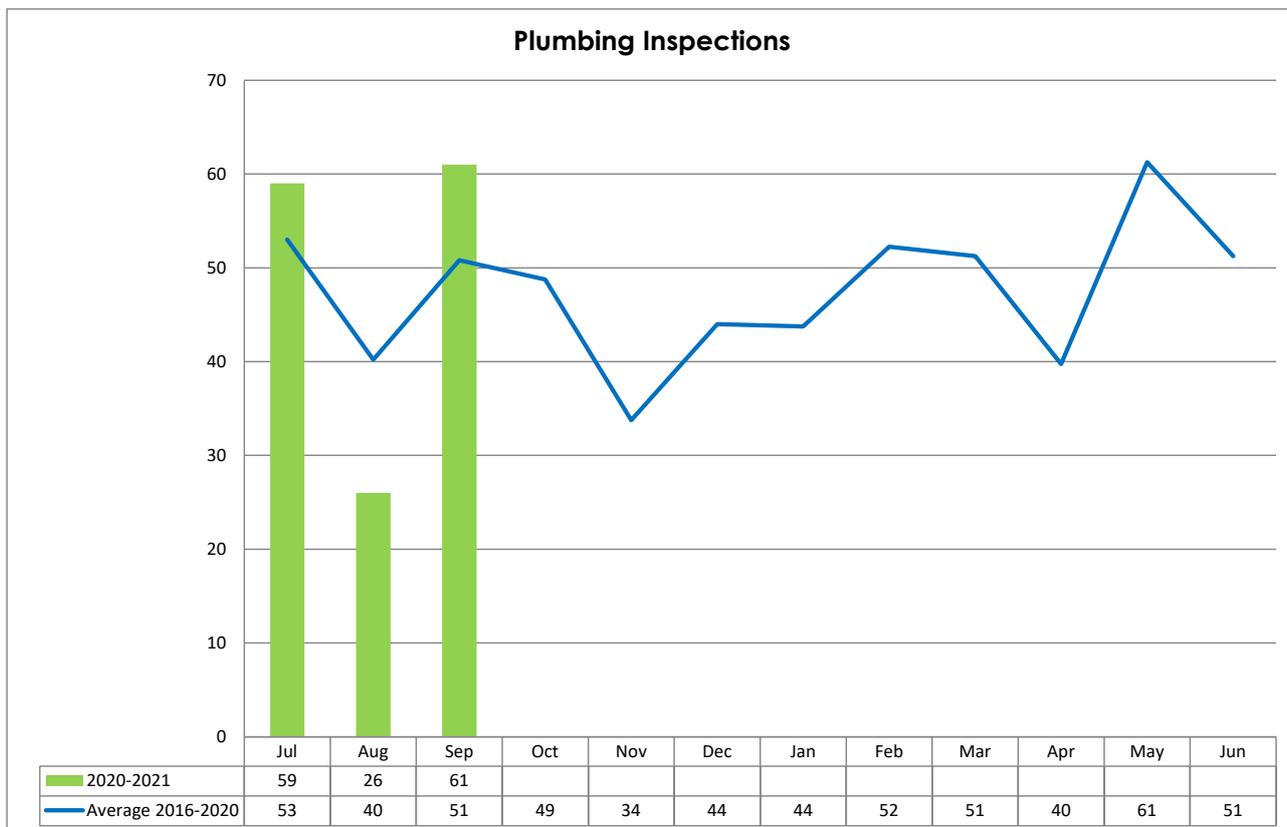
3.1. 20 Building Applications and 13 Plumbing Applications were received in August and September. The following graph details the Building and Plumbing Applications compared to the previous year:



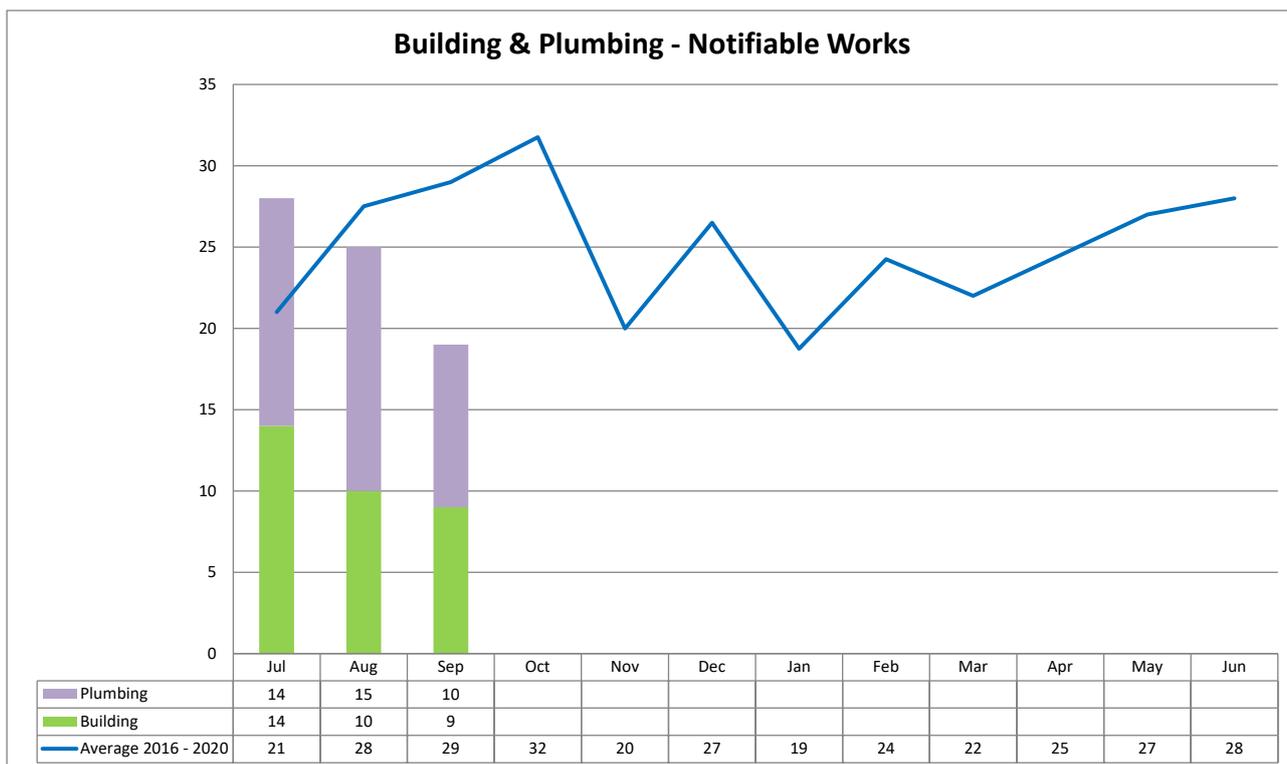
3.2. Building Applications for \$5,534,678 worth of building works were received in August and \$3,346,400 in September. The following graph details the value of buildings works received compared to previous years:



3.3. 26 plumbing inspections were carried out in August and 61 in September. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:



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

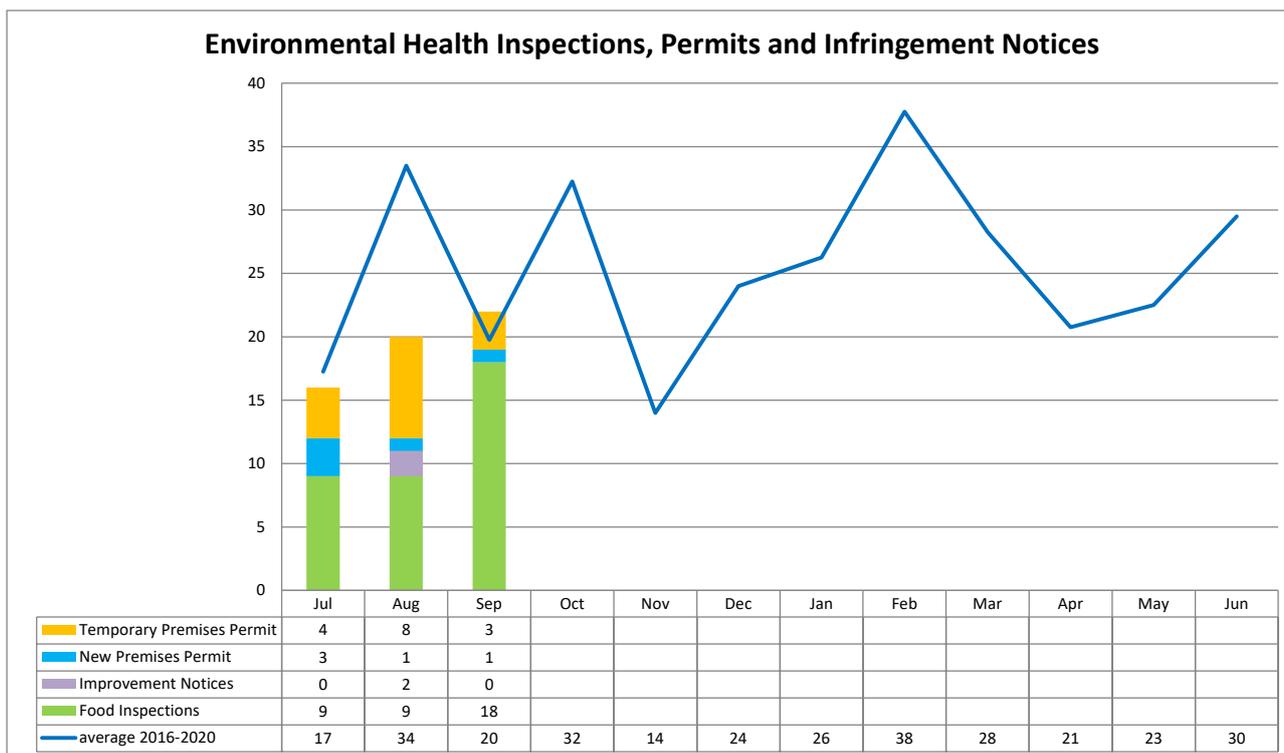


4. Environmental Health

4.1. The annual reporting on several areas relating to public health were submitted to the Department of Health (DoH). These reports are for the previous financial year and are required to be completed and submitted to DoH by 30 September each year. The reports include:

- Food Safety Annual Report
- Private Drinking Water Suppliers and Water Carriers Annual Report
- Recreational Water Quality Annual Report
- Regulated Systems Annual Register
- Environmental Health Officer Annual Register

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



5. Animal Control

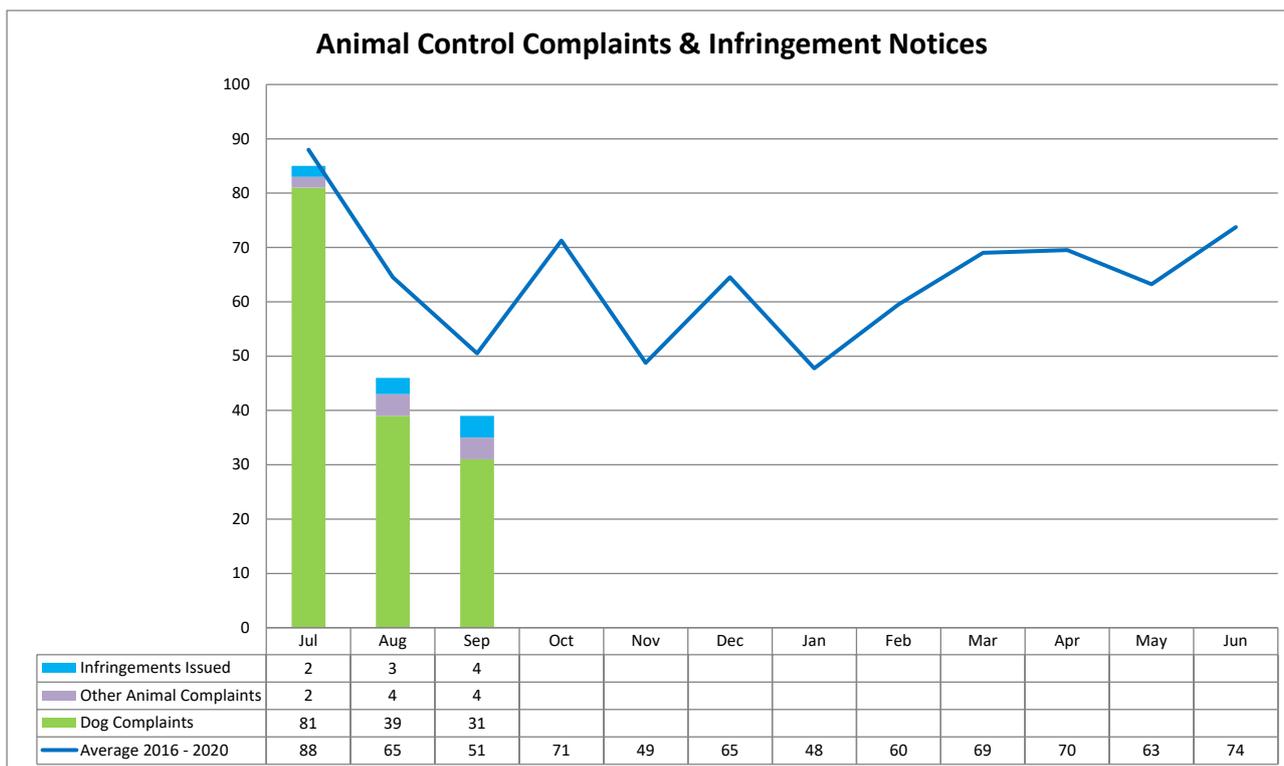
5.1. Cat Management Strategy - the Cradle Coast Authority have undertaken to draft a regional Cat Management Strategy. The desired outcomes for the strategy will include:

- A greater understanding of responsible cat ownership across the region.
- Improved knowledge of cat management issues across the region.
- Minimise the impacts of cats in significant conservation, agricultural and community assets.

5.2. At the end of September, there were 3,521 dogs registered in Devonport.

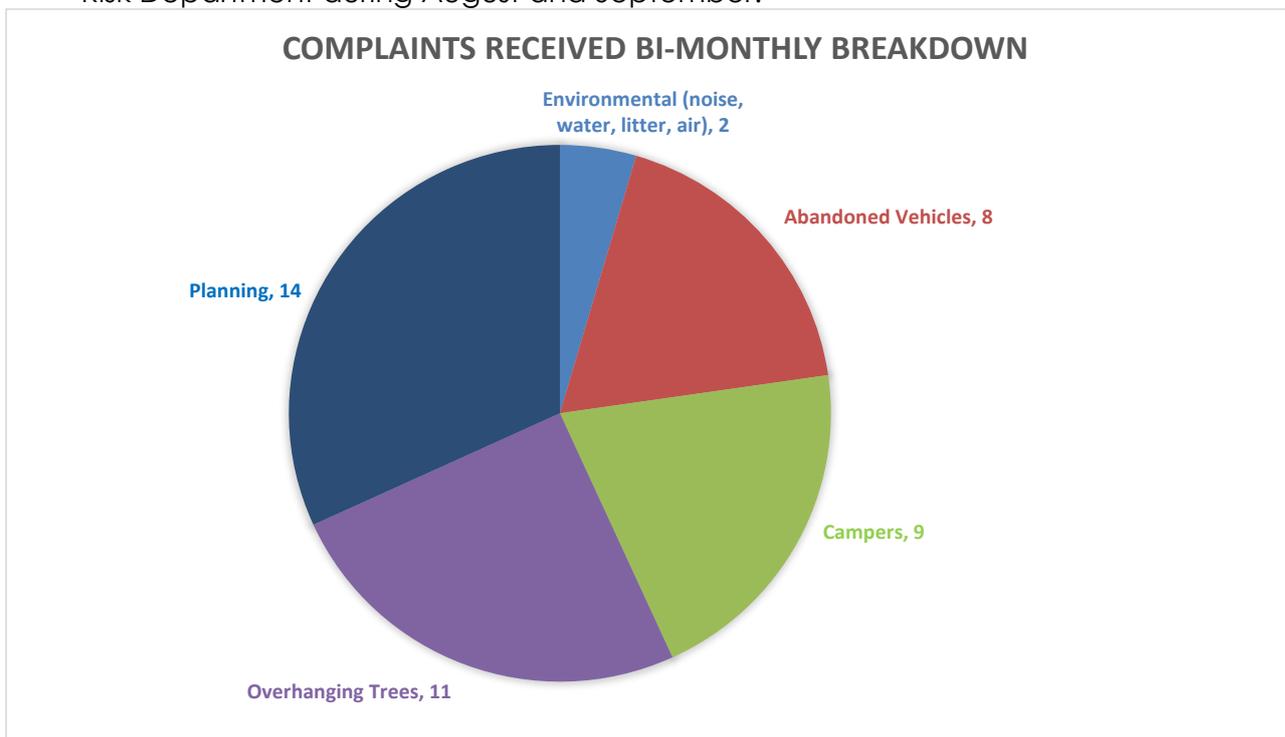
5.3. In August and September, a total of 78 animal complaints were received. These complaints predominately related to dogs at large and barking dogs. All complaints were responded to within two working days.

5.4. The following graph details the number of animal complaints for this financial year compared to the same period last year:



6. Risk and Compliance

6.1. The following graph details the breakdown of the complaints received by the Risk Department during August and September:



6.2. 9 internal incidents and 10 external incidents were reported during August and September. The following table details the types of incidents:

Internal Incident Type	No. of Reports	Description
Property Damage	2	<ul style="list-style-type: none"> • Break in - Transfer Station • Vandalism - Miandetta Toilet Block
Motor Vehicle	2	<ul style="list-style-type: none"> • Damage to rear end of vehicle • Lost keys
Hazard	1	<ul style="list-style-type: none"> • Trip hazard
Personal Injury	4	<ul style="list-style-type: none"> • Back strain x 2 • Eye strain • Sore neck
External Incident Type	No. of Reports	Description
Personal Injury	6	<ul style="list-style-type: none"> • Jammed Hand • Trip & fall x 4 • Fall off bike
General Public	4	<ul style="list-style-type: none"> • Food Permit Issue • Altercation • Nuisance individual x2

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

	Internal Incidents	External Incidents
Actual Claims	3	0
Actual Claim Costs	\$1,630	\$0

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

This report is provided for information purposes only as it relates to the activities of the Development Services Department in August and September 2020.

ATTACHMENTS

Nil

6.6 ANNUAL FINANCIAL REPORT - 30 JUNE 2020

Author: **Kym Peebles, Executive Manager People & Finance**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council:

1. Receive this report relating to the Annual Financial Report for the year ended 30 June 2020 and note that it will be included as an Appendix in the 2020 Annual Report; and
2. Adopt the proposed carry forward projects totalling \$11,382,445 from the 2019/20 capital works program and amend the 2020/21 program accordingly.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

This report is provided to present to Council the Annual Financial Report for the year ended 30 June 2020.

BACKGROUND

The Annual Financial Report has been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Audit Act 2008* and relevant Accounting Standards. The Audit Opinion and the Annual Financial Report are attached to this report and are available on Council's website and for viewing at Customer Services.

STATUTORY REQUIREMENTS

Section 72 of the *Local Government Act 1993* requires Council to prepare an Annual Report containing the Annual Financial Report and other statutory requirements. The Annual Report must be considered at the Annual General Meeting, which is to be held no later than 15 December. Whilst an extension will not be required by Devonport City Council, it should be noted that due to the impact of COVID-19 that a 3 month extension, from this date has been provided to Local Government Authorities for their 2020 AGM's.

The Annual Financial Report is required to be prepared in accordance with applicable Accounting Standards; Section 84 of the *Local Government Act 1993* and the *Audit Act 2008*.

The *Audit Act 2008* requires that the financial report is to be prepared within 45 days of the end of the financial year and forwarded to the Auditor-General as soon as practicable. The Tasmanian Audit Office then has a further 45 days to complete the audit of the Statements.

Section 84 (4) of the *Local Government Act 1993* requires that 'the general manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable'.

This is the first opportunity for the certified financial statement to be provided formally to Council.

Section 82 (4) of the Act "a council may alter by absolute majority any estimate referred to in subsection (2) during the financial year".

DISCUSSION

The Annual Financial Report meets the requirements of the *Local Government Act 1993* and applicable Accounting Standards and has been audited by the Tasmanian Audit Office. The audit opinion was issued by the Auditor General on 30 September 2020.

The Annual Financial Report comprises four financial statements, together with notes to the accounts. The 'notes' provide additional detail and explanation to the financial statements. The four primary financial statements are:

1. Statement of Profit or Loss and Other Comprehensive Income
2. Statement of Financial Position
3. Statement of Changes in Equity
4. Statement of Cash Flows

The draft financial statements were referred to the Audit Panel for review at its meeting on 13 August 2020 prior to submission to the Audit Office on 14 August 2020.

Below is a summary of the results of Council's financial activities during the year.

	Actual \$000	Budget \$000
Ordinary activities		
Total recurrent income	40,444	40,822
Total operating expenditure	41,755	40,349
Surplus / (Deficit) from ordinary activities	(1,311)	473
Adjustments		
Prepaid Financial Assistance Grant 2020/21	(1,089)	(1,229)
Prepaid Financial Assistance Grant 2019/20	1,229	1,229
Loss on Disposal of Assets	(626)	(304)
Underlying Surplus/(Deficit)	(1,797)	169
Total Comprehensive Result	9,533	4,226

Council has achieved an underlying deficit of \$1.797M for the 2019/20 financial year compared to a budgeted underlying surplus of \$0.169M. The result has been significantly impacted by COVID-19 with the closure of Council facilities and the loss of TasWater Dividend revenue, as well as additional expenditure on depreciation. Council determined to take measures to ease the financial burden on the community during the last quarter of the financial year and waived parking fees for the majority of the 3 months, waived rental and ground charges for sporting and community groups, provided rental relief to commercial tenants and delayed the due date for the fourth rates instalment to 30 June, thus reducing late payment penalties associated with this instalment.

Recurrent Income	Actual 2019/20 \$000	Budget 2019/20 \$000	Variance \$000
Rates and Service Charges	28,907	28,642	265
Fees and User Charges	5,460	5,681	(221)
Grants - Operating	2,372	2,644	(272)
Contributions - Operating	24	36	(12)
Investment Revenue	2,544	2,680	(136)
Other Revenue	1,137	1,139	(2)
Total Recurrent Income	\$40,444	\$40,822	(\$378)

Total operating revenue was \$378M or 0.9% lower than budget. The major variations include:

- Lower Fees & User Charges reflect the waiving of parking fees between March and June, the waiving of ground charges for winter sporting groups and the reduction in rent for community, sporting and commercial tenants;
- Grant revenue that relates to programs that will be delivered in 2020/21 have been carried forward and will be reported as revenue in the 2020/21 year. Council did receive lower than expected Financial Assistance Grant funds from the Federal Government which has contributed to the lower than expected revenue;
- Investment Revenue includes an additional \$1.1M return from Dulverton Regional Waste Management Authority. The return is an accounting entry and does not reflect additional cash flows from the entity. The increase offsets the loss of dividend from TasWater of \$.55M and less than anticipated interest income due to lower interest rates received on investments.

Operating Expenditure	Actual 2019/20 \$000	Budget 2019/20 \$000	Variance \$000
Employee Benefits	12,506	12,332	174
Materials and Services	15,232	15,541	(309)
Depreciation	10,624	9,750	874
Financial Costs	2,054	1,731	323
Other Expenses	1,339	995	344
Total Operating Expenditure	\$41,755	\$40,349	\$1,406

Total operating expenditure was \$1.4M or 3.48% higher than budget, the majority of the increase relates to an adjustment to depreciation to recognise the depreciation on the paranapple centre, Providore Place and the CBD car park from completion of construction to 30 June 2020:

- Materials and services were \$0.3M or 1.98% lower than budget. Council operations were impacted by the closing of several facilities which reduced costs incurred during the last quarter of the year. Council also closely monitored all expenditure during this time with the aim to reduce discretionary expenditure due to the operating conditions imposed by COVID.
- Depreciation expense was 8.96% higher than budget largely due to the recognition of depreciation on buildings recently constructed and capitalised. Prior to this, the depreciation expenses had been based on estimated useful lives. The additional depreciation relates to the date of completion in September 2018, however the charge has been expensed in the current financial year.
- Financial costs include interest and fees of \$1.67M paid on borrowings of \$50M. The variance between actual and budget relates to recognising the future cashflows associated with hedging debt using interest rate swaps. As of 30 June 2020, the movement in interest rate swaps was estimated to be \$0.38M. The weighted average interest rate on Council borrowings for 2019/20 was 3.39%.
- Other expenses include the Mayor and Councillors expenses, leasehold incentives, rates remissions granted, community grants and donations provided throughout the year and cost of debt referred to collection agencies. The additional \$0.34M expenditure compared to budget relates to a lease incentive for 17 Fenton Way written off during the year.

Capital Expenditure – Council delivered \$14.8M in capital expenditure during the 2019/20 financial year. A reconciliation of the Capital Works Program for the year is as follows:

	2019/20 Capital Funding			2019/20 Capital Expenditure		
	CF to 2019/20 Program	2019/20 Budget Allocation	2019/20 Total Budget	Actual	To be CF to 2020/21	Unspent / Program Savings
Public Open Space	1,978,701	1,322,000	3,300,701	2,188,317	373,385	738,999
Transport	1,372,197	6,297,000	7,669,197	5,378,750	1,657,668	632,779
Stormwater	283,994	1,292,000	1,575,994	377,076	1,194,096	4,822
Facilities	2,677,816	342,000	3,019,816	299,305	2,694,677	25,834
Plant & Fleet	756,673	874,600	1,631,273	1,279,904	141,051	210,318
Office and Equipment	398,095	666,500	1,064,595	670,384	386,376	7,835
Living City	3,590,200	6,000,000	9,590,200	4,655,008	4,935,192	-
Total	11,057,676	16,794,100	27,851,776	\$14,848,744	\$11,382,445	\$1,620,587

The 2019/20 capital program included significant investment across all asset classes. In addition to important renewal projects to ensure the quality of the existing asset portfolio is maintained to acceptable standards, Council also commenced a range of significant new projects. These included the new multi-user facility at Meercroft Park, important road network safety improvement and upgrade projects, and work to a range of community facilities. The commencement of construction on the Waterfront Park project as part of

LIVING CITY formed a significant element of the overall capital program, that will continue with delivery into the 2020/21 financial year.

Following the identification of necessary carry forward amounts total savings of \$1.62M have been achieved from the 19/20 capital expenditure program.

A summary of the Council's equity position on 30 June 2020 compared with the previous year is shown below:

Financial Position	2020	2019
	\$000	\$000
Total Assets	626,756	614,995
Total Liabilities	61,586	59,358
Net Community Equity	\$565,170	\$555,637
Key Assets and Liabilities (included in Financial Position)		
Cash Assets	13,730	15,966
Property, plant and equipment	513,904	477,943
Council Borrowing	50,017	51,821

Cash assets include operating accounts, trust deposits and investments held by Council at 30 June 2020.

During the 2019/20 financial year, Council progressed construction of the waterfront park and finalised the sale of land to the Fragrance Group for the waterfront hotel development.

Further detail and summary information will be available in the Council's 2019/20 Annual Report which will be presented at the Annual General Meeting on 9 November 2020.

COMMUNITY ENGAGEMENT

The preparation of the Annual Report and the conduct of the Annual General Meeting underpins the community engagement in relation to this matter.

FINANCIAL IMPLICATIONS

Whilst the Annual Financial Report deals with the finances of Council, there are no direct financial consequences relating to the consideration of this covering report.

For the 2019/20 financial year a total of \$ 14,848,744 had been expended on capital works.

The following table details the carried forward capital works now identified as a result of the finalisation of the year end reports. A number of projects previously planned to be completed within the financial year will continue with delivery into the new financial year. Additionally, some projects have required additional funds to be reallocated to facilitate completion where additional expenses have occurred. These additional funds have been reallocated from savings elsewhere within the capital works program. On this basis the carried forward amounts will be updated in the 2020/21 Capital Program in accordance with the following table of carried forward projects:

Project Number	Project	Budget 2019/20	Updated CF Budget
	Public Open Space and Recreation		
CP0129	Don River Rail Trail - land purchase	30,000	11,304
CP0150	Maidstone Park - Replace Ground Lighting	150,945	67,848
CP0175	Mersey Bluff - inclusive playground	96,000	5,849
CP0176	Mersey Bluff - bin compound	5,000	4,769
CP0179	Reg Hope Park - slab and services for shopfront at Julie Burgess	11,000	10,393
CP0180	Bluff Beach - accessible ramp	100,000	90,081
CP0181	Mersey Bluff Caravan Park – accessible amenities	75,000	42,585
CP0182	Mersey Vale Memorial Park - signage upgrade	30,000	5,827
CP0184	Don River Rail Trail - construction	70,000	98,413
CP0186	Girdlestone Park - ground lighting	300,000	32,432
CP0187	Mussel Rock Fishing Area	15,000	3,884
	Buildings and Facilities		
CB0094	Council contribution to Sports Club Grants (Level the Playing Field)	50,000	50,000
CB0097	Meercroft Park - facilities upgrade	1,502,437	1,390,795
CB0098	Devonport Football Club - new change rooms	818,000	812,435
CB0099	East Devonport Football Club - new change rooms	423,129	421,675
CB0100	Waste Transfer Station - E-waste shelter	16,223	19,772
	Transport		
CT0169	Formby Road & Best Street intersection safety improvements	69,000	54,987
CT0230	Transport Minor Works	20,000	20,000
CT0245	New bus stop infrastructure	486,606	56,553
CT0247	Street light provision	25,000	22,268
CT0257	Road traffic device renewal	25,000	24,872
CT0259	Parking infrastructure renewal	58,566	12,473
CT0263	Oldaker Street footpath renewal - west of Rooke, south side	160,000	148,959
CT0270	Northern Rooke Street renewal	1,000,000	998,000
CT0271	Mersey Bluff Precinct – traffic, pedestrian, and parking improvements – stage 2	265,000	160,803
CT0272	Coastal Pathway contribution - part 1	600,000	113,627
CT0274	Electric Vehicle Charging Station	50,000	45,126
	Stormwater		
CS0081	John Stormwater Catchment Stage 1	200,000	196,096
CS0085	Oldaker (East) stormwater catchment upgrade – stage 1	1,000,000	998,000
	Plant and Fleet		
	Fleet & plant replacement program 19/20	379,875	141,051
	Office and Equipment		
	Office & Equipment 2019-20	1,064,595	386,376
	Living City		
	Living City	9,598,200	4,935,192

RISK IMPLICATIONS

There are no specific identified risks in relation to the content of this report.

CONCLUSION

The Annual Financial Report for the year ended 30 June 2020 provides detailed information as to Council's financial performance and position as at balance date.

Copies of the following documents are provided to support this report:

1. Auditor's Opinion
2. Financial Report for the Year Ended 30 June 2020

The Annual Report will be tabled at the Annual General Meeting.

From the allocated 2019/20 capital budget of \$27.85M, a total of \$14.85M has been spent, \$11.38M is proposed to be carried forward into 2020/21 to fund on-going projects and the remaining \$1.6M represents program savings.

ATTACHMENTS

1. DCC Financial Report 2020 - FINAL - 29-09-20 [**6.6.1** - 71 pages]
2. Devonport City Council - Auditor's Report - 30 June 2020 [**6.6.2** - 4 pages]

7 SECTION 23 COMMITTEES

No Section 23 Committee meetings have been held since the last Council meeting.

8 CLOSED SESSION

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

RECOMMENDATION

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 28 September 2020	15(2)(g)
3.2	Application for Leave of Absence - Nil at time of agenda compilation	15(2)(h)
4.1	Confidential Attachments – October	15(2)(g)

9 CLOSURE