



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, parnaple centre, 137 Rooke Street, Devonport on Monday 20 December 2021, commencing at 5:30 PM.

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

QUALIFIED PERSONS

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

Matthew Atkins
GENERAL MANAGER

15 12 2021

January 2022

Meeting	Date	Commencement Time
Ordinary Council	24 January 2022	5:30pm

**AGENDA FOR AN ORDINARY COUNCIL MEETING OF DEVONPORT CITY COUNCIL
HELD ON MONDAY 20 DECEMBER 2021, IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre,
137 ROOKE STREET, DEVONPORT AT 5:30 PM**

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ATTENDEES

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

ACKNOWLEDGEMENT OF COUNTRY

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

IN ATTENDANCE

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

1 APOLOGIES

2 DECLARATIONS OF INTEREST

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

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

3.2 PUBLIC QUESTION TIME

PUBLIC QUESTION TIME

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

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

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

That the responses to questions from Mr Smith, Mr Janney and Mr Gardam at the November 2021 Council meeting be noted.

Responses to questions raised at prior meetings are attached.

ATTACHMENTS

1. Response to Question Without Notice - 22 November 2021 - T Smith [**3.2.1.1** - 2 pages]
2. Response to Questions Without Notice - 22 November 2021 - D Janney [**3.2.1.2** - 1 page]
3. Response to Questions Without Notice - 22 November 2021 - M Gardam [**3.2.1.3** - 1 page]

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

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

Mr Malcolm Gardam – 4 Beaumont Drive Miandetta

A letter containing questions on notice received from Mr Gardam on 12 December 2021 is **reproduced as attachment 1**.

- Q1** At the November ordinary meeting I directly asked Mayor Rockliff the following question in relation to her determination as Chairperson at the 2021 AGM regarding the “gagging” of any comments about Council's past management of Providore Place, “.....will you now advise precisely on what grounds and authority you determined the past was not relevant to my efforts to convince those in attendance to vote for the motion to take such action necessary for a sale of Providore Place?” to which the General Manager responded in writing on the Mayor's behalf that” The Mayor has confirmed that as designated chairperson of the AGM she used her judgement to facilitate orderly debate and ensure speakers remained focused on matters before the meeting.”; accordingly, will you Mayor Rockliff now advise as to how you knew in advance as to what was going to be said would not be “orderly or remain focused on matters before the meeting”, namely my allotted 3 minutes to speak in favour of a motion before the meeting that Council take such action necessary for a sale of Providore Place?
- Q2** Will you Mayor Rockliff, advise as to which specific section(s) of the Annual General Meeting Guidelines or Local Government (Meeting Procedures) Regulations) you relied on to support your actions/statements on the night that “Mr Gardam I won't allow it the motion is for the future of Providore Place it's not related to the past.”, and shortly thereafter, “The motion is about the future of Providore Place and it's not about the past. You may speak about the motion.”?
- Q3** Further to Q2. above, I ask directly of Mayor Rockliff why was Council's “past” management record not relevant in attempting to persuade electors in attendance that it was time to vote for a motion that Council take such action necessary for a sale of Providore Place?

Q1-3 Response

As advised in the previous response to you on this matter, the Mayor uses her judgement in any rulings made as Chairperson.

Council's Annual General Meeting is conducted as much as practicable in accordance with the *Local Government (Meeting Procedures) Regulations 2015* and as such the Mayor has regard to section 22 of the Meeting Regulations when chairing debate. Section 22 (1) states that “A Councillor in addressing a council meeting is not to digress from the subject under discussion”.

Q4 At around the 1 hour 26 minute mark of the AGM video recording Cr Perry took an opportunity to question Mr Bob Vellacott, the mover of a motion that was subsequently passed to extend parking concessions to those paying rates for 50 years or more, to which the Mayor intervened by calling Cr Perry to order three times, albeit without applying the gavel; however, the video shows that the Mayor appeared to be amused with a demeanour more jovial when speaking to Cr Perry than Mr Vellacott and accordingly I ask you Mayor Rockliff were you aware prior to the meeting that Cr Perry was going to ask the question that he did?

Response

The Mayor was aware that Cr Perry had concerns that Mr Vellacott may have had a conflict of interest in relation to the motion that he was proposing.

Mr Robert Vellacott – 11 Cocker Place Devonport

A letter containing questions on notice received from Mr Vellacott on 12 December 2021 is **reproduced as attachment 2.**

Q1 Subject DCC Media Release – 23rd Nov 2021 “Council supports debt recovery decision”

Mayor - Council's media release of the 23rd November 2021 stated at the closed/secret session of the 22nd Nov 2021, when the matter of debt recovery from CharlotteJack Pty Ltd was being dealt with, stated – “Cr Milbourne and Cr Rockliff declared an interest in the matter and left the meeting prior to discussion and subsequent decision.” Will you, and hopefully you will permit Councillor Sally Milbourne to do so as well, inform ratepayers what necessitated you to declare what interest /s you each of you have in what The Advocate newspaper reported as being an, “Ugly Legal Stoush” between Council and the director of Charlotte Jack Pty Ltd?

Response

The declarations of interest related to a matter considered in closed session and therefore the reason for the interest is not publicly disclosed.

Q2 Please inform the date that the original Head Lease agreement, for the food pavilion now known as Providore Place, took effect?

Response

Council entered into a head lease for Providore Place in November 2016.

Q3 Who negotiated on behalf of council with the director of CharlotteJack's in regard to the utility services which are now being disputed?

Response

Council's General Manager.

Q4 (a) Was there a formal/ written agreement between Council and CharlotteJack Pty Ltd to permit the use of the utility services? Or -
(b) was it just an unwritten gentlemen's agreement?

Response

Council has a signed agreement from CharlotteJack Pty Ltd committing to pay for the utility services.

Q5 What is the expected amount of legal and other costs involved that rate payers will now be required to pay to sort out the alleged non payment pay CharlotteJack Pty Ltd for utility services?

Response

Council is continuing to pursue \$12,236 from CharlotteJack Pty Ltd. Legal advice to date has been minimal and future expenses are unknown, however Council will continue to assess the matter on an ongoing basis and make decisions in the best interest of the organisation.

Q6 As of this date 10th Dec 2021 are there any other outstanding debts or issues pertaining to the original and subsequent head leases at Providore Place?

Response

No.

Q7 What is the current situation regarding the proposed sale of Council properties i.e. car parks and the vacant land corner of Fenton Way and Oldaker Street and is Council considering selling off any other assets?

Response

Council has identified preferred proponents for several of the sites listed under an expression of interest process earlier this year and negotiations are continuing in relation to the development of these sites.

Council is not looking at "selling off" these assets or any others simply for monetary return. However, Council do continually assess and consider opportunities that arise to develop or better utilise Council property for greater community good.

ATTACHMENTS

1. Questions on Notice - Mr Gardam - December 2021 [**3.2.2.1** - 2 pages]
2. Questions on Notice - Mr Vellacott - December 2021 [**3.2.2.2** - 1 page]

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

3.4 NOTICES OF MOTION

3.4.1 BEAUTIFICATION OF DON ROAD ROUNDABOUT

Author: **Councillor Laycock**

Endorser: **Matthew Atkins, General Manager**

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

MOTION

That this Council works closely with the Division of Roads through Department of State Growth for the beautification of the land on both the eastern and western sides of the Don roundabout and looks at ideas to make the roundabout itself a more welcoming entrance to our city.

OFFICER'S COMMENTS

The Department of State Growth have recently commenced engagement with Council's in the northwest region in relation to their *Gateways Project*, funded via the State Government's Infrastructure for 21st Century Roads program. This program has allocated funding for the beautification of the vehicle gateways and entrance locations to the major settlements within our region. The eastbound off-ramp from the highway into the Don roundabout has been identified as a major entry point to the City based on traffic volume data.

While individual projects will be required to be assessed against the program requirements, the suggested project seems to be strongly aligned to the intended outcomes of the funding allocation and could be nominated for consideration.

ATTACHMENTS

Nil

4 PLANNING AUTHORITY MATTERS

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

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

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

4.1 PA2021.0068 - 39A NORTH FENTON STREET & 34 OLDAKER STREET, DEVONPORT - 11 LOT SUBDIVISION

Author: **Emma Pieniak, Planning Officer**

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

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2021.0068 and grant a Permit to develop land identified as 39a North Fenton Street, Devonport and 34 Oldaker Street, Devonport for the following purposes:

- 11 lot subdivision

Subject to the following conditions:

1. The Development is to proceed generally in accordance with the submitted plans referenced as project no. 20-067 by 6ty^o copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The developer is to submit a street name option for consideration and approval prior to the Final Plan being sealed. Any names proposed must be in accordance with Nomenclature Board's Rules for Placenames in Tasmania and is recommended to be from Council's adopted list.
3. The developer is to cover all costs associated with the transfer of road title and public open space title to Council. The transfer documentation is to be provided as part of the Final Plan documentation.
4. The developer is to submit detailed design drawings prepared by a suitably qualified engineer, detailing road and stormwater design compliance with current Tasmanian Standard Drawings (TSD-v3), Version 3, and Tasmanian Subdivisional Guidelines. These are to demonstrate:
 - a. Stormwater discharge from the subdivision is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations, to adequately identify peak discharge, for the piped and overland flows. All design calculations and drawings are to be submitted for approval by the City Engineer prior to commencing construction on site;
 - b. How the proposed road formation, pavement and associated features as well as the proposed reserve width is maintained throughout the development and conforms with the Tasmanian Subdivisional Guidelines;
 - c. How each lot is provided with a concrete vehicular access from the proposed new road in accordance with current Tasmanian Standard Drawings and Tasmanian Subdivisional Guidelines;
 - d. Appropriate road longitudinal and cross-sectional grades;
 - e. Appropriate intersection design, line marking and signage;
 - f. Appropriate footpath alignments and grades including ramps;

- g. Subsoil drains;
 - h. Pipeline cover in accordance with Tasmanian Standard Drawings;
 - i. All driveway crossovers to be Type KCS as per Tasmanian Standard Drawing TSD-R14-v3 and Tasmanian Subdivisional Guidelines; and
 - j. Each proposed lot is to be adequately serviced to permit future development in accordance with the relevant authorities.
- 5. The developer must, prior to commencement of works on site, submit construction issue drawings to Council's Infrastructure and Works Department for approval and endorsement. Fees associated with this assessment will be in accordance with Council's current fee structure and all civil works associated with the subdivision will be subject to scheduled inspections by Council Officers.
 - 6. The developer is to provide CCTV camera footage and condition report to WSA05-2013 v 3.1 standard, for all stormwater mains to be handed over to Council, for approval by the City Engineer.
 - 7. Erosion and sediment control measures are to be implemented and maintained during the course of development to minimise downstream sediment transfer, particularly with respect to watercourses, stormwater outlets and disturbed ground, to the satisfaction of the Planning Authority.
 - 8. The developer is to acknowledge that at satisfactory completion of the works, all infrastructure intended to become a Council asset will be placed on a minimum 6 month defect liability period and that there will be a bond charged to govern this period in accordance with Council's Subdivision Maintenance Bond Policy.
 - 9. The developer is to provide (as cons) drawings in an electronic format at the completion of the works, detailing final road alignments, stormwater assets, invert levels and finished surface levels.
 - 10. In accordance with the Tasmanian Subdivision Guidelines the developer is to appoint a supervising engineer to arrange for joint audit inspections and to certify the works at practical completion.
 - 11. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

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

Ensure that all stormwater run-off is managed in accordance with the Environment Protection Authority's "Soil & Water Management on Large (greater than 250m² of ground disturbance) Building & Construction Sites" recommendations.

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

The amenity of the area must not be detrimentally affected by the use or development through the:

- a) Transport of materials, goods or commodities to or from the land; or
- b) The emission of noise, dust, odour, artificial light, vibration, fumes, smoke, vapour, steam, soot, ash, wastewater or any waste products.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any such waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

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

In regard to conditions 4-10 the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

In regard to condition 11 the developer should contact TasWater – Ph 136992 with any enquiries.

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide consistent and responsive development assessment and compliance processes

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority, to make a decision regarding planning application PA2021.0068.

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	39a North Fenton Street, Devonport 34 Oldaker Street, Devonport
Applicant:	6ty° Pty Ltd
Owner:	Director of Housing & The Crown
Proposal:	11 lot subdivision
Existing Use:	Vacant Land & Mental Health Clinic
Zoning:	Inner Residential & Urban Mixed Use
Decision Due:	17/12/2021 – consent to extend decision timeframe received

SITE DESCRIPTION

The subject site comprises 1.001 ha of vacant land situated to the west of North Fenton Street located behind existing development. Previously the Devonport Bowls & Croquet Club, the site was rezoned to Inner Residential by the Planning Minister under provisions of the *Housing Supply Act 2018*. The other parcel of land included in this subdivision is 34 Oldaker Street, which comprises existing buildings for the Oldaker Street Mental Health Clinic. The subject site and surrounding development are illustrated in Figure 1.

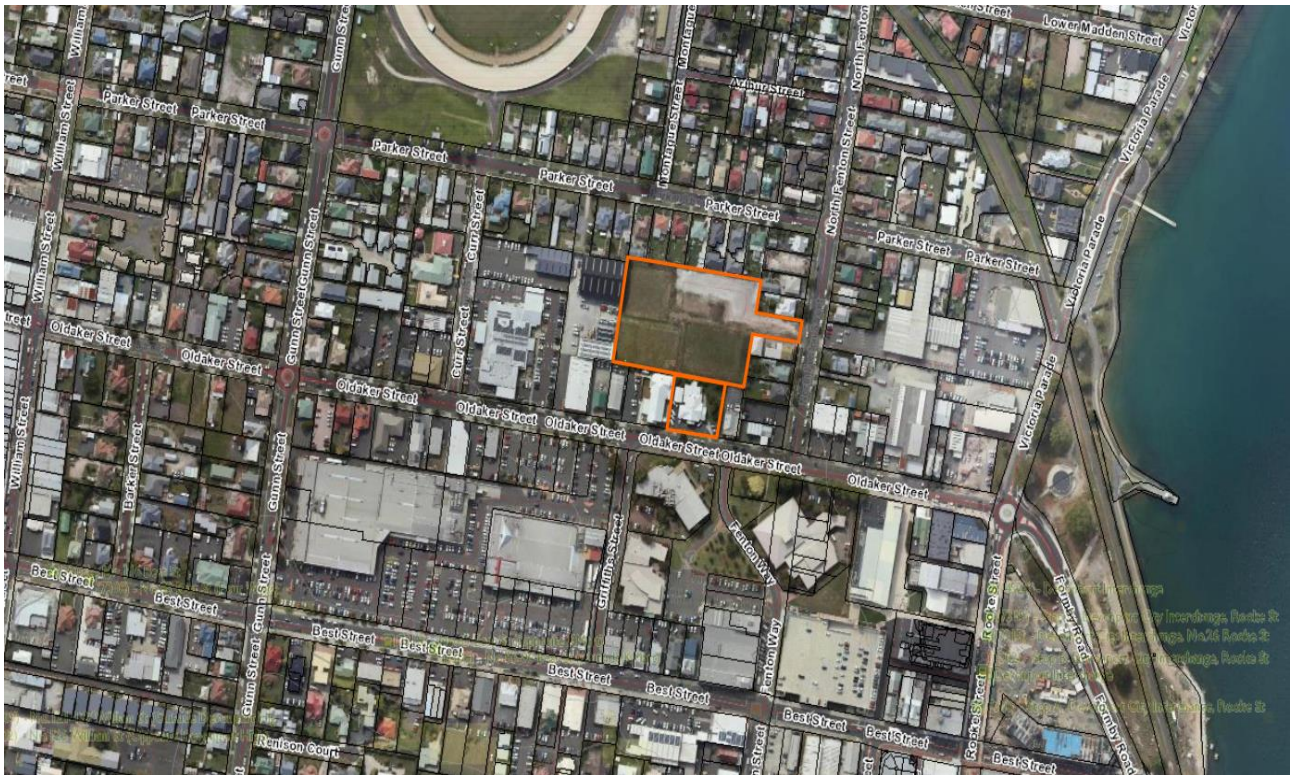


Figure 1 – Aerial view (LISTmap)

APPLICATION DETAILS

The applicant is seeking approval for subdivision to create 11 lots with a new road from North Fenton Street and a pedestrian pathway to Oldaker Street. The proposed lots vary in size from 351m² up to 2283m². A portion of land is to be taken from 34 Oldaker Street to provide a pedestrian pathway through to Oldaker Street and will result in alterations to the carparking arrangement within that site. The proposal is illustrated in Figures 2 and 3.

The full application is contained and **appended to this report as an attachment.**

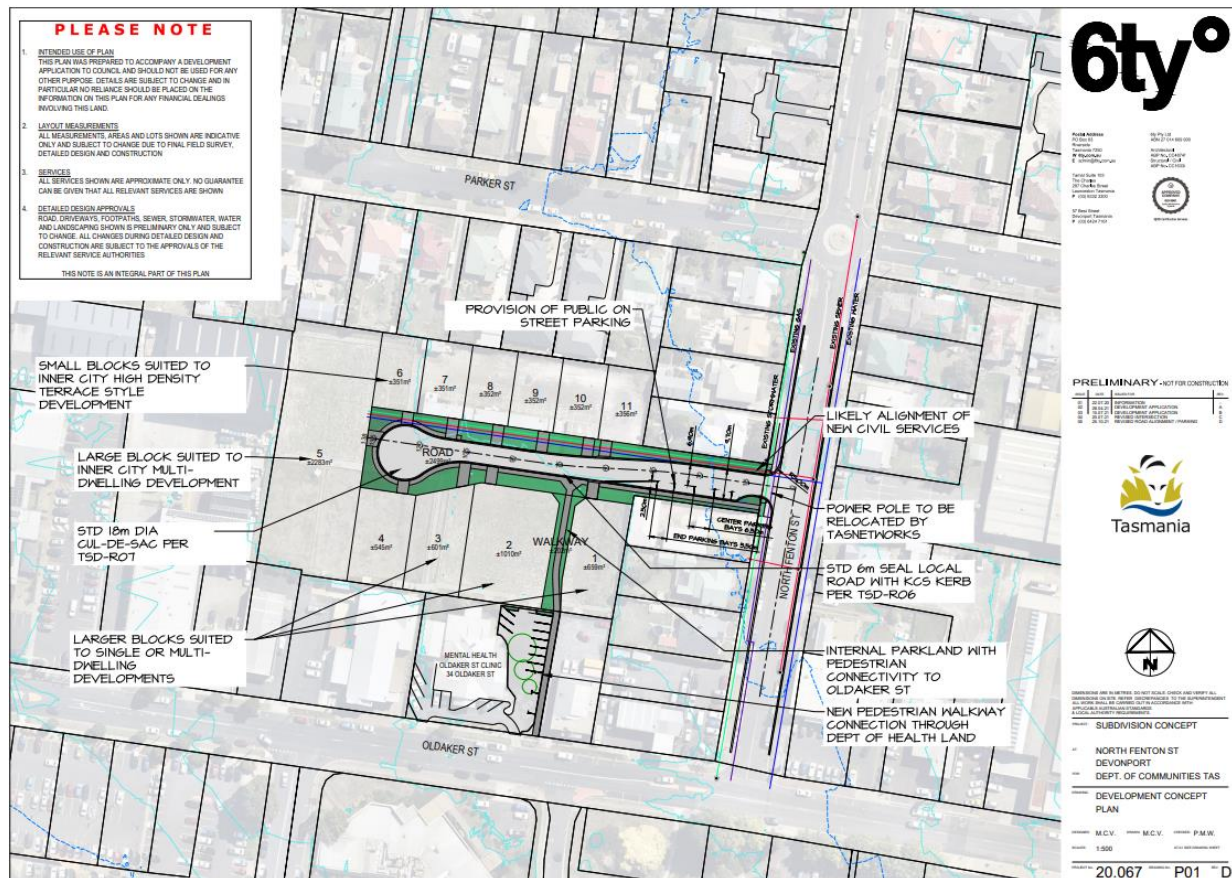


Figure 2 – Proposed plan of subdivision

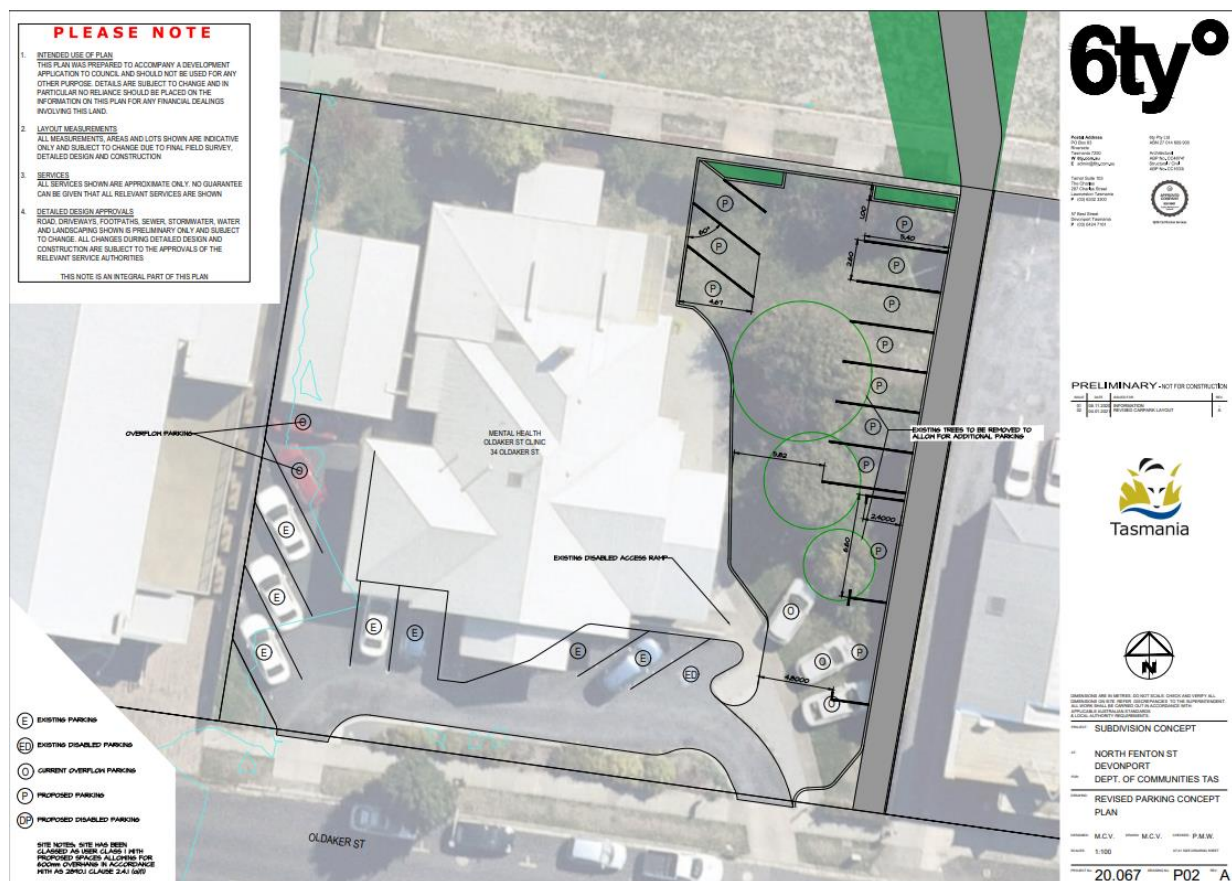


Figure 3 – Proposed footpath and carparking plan

PLANNING ISSUES

The land is zoned Inner Residential under the *Tasmanian Planning Scheme – Devonport, 2020*. The purpose of the Inner Residential Zone is:

- 8.1.1 To provide for a variety of residential use or development that accommodates a range of dwelling types at higher densities.
- 8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.
- 8.1.3 To provide for non-residential use that:
 - a) primarily serves the local community; and
 - b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.
- 8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

The proposal is for a subdivision, which in accordance with 6.2.6 of the *Tasmanian Planning Scheme – Devonport 2020* does not require categorisation into a Use Class. It is accepted the subdivision will facilitate residential development.

Design standards for subdivision are stipulated at 9.6 of the *Tasmanian Planning Scheme – Devonport 2020*. The proposal satisfies the acceptable solutions of 9.6.1 *Lot design* and 9.6.3 *Services*. As the subdivision requires a new road the performance criteria of 9.6.2 *Road* requires consideration.

9.6.2 Roads

Objective: That the arrangement of new roads within a subdivision provides for: <ul style="list-style-type: none"> (a) safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land. 	
Acceptable Solution	Performance Criteria
A1 The subdivision includes no new roads.	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to: <ul style="list-style-type: none"> (a) any relevant road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) the need for connecting roads and pedestrian paths to common boundaries with adjoining land, to facilitate future subdivision potential;

	<ul style="list-style-type: none"> (d) maximising connectivity with the surrounding road, pedestrian, cycling and public transport networks; (e) minimising the travel distance between key destinations such as shops and services and public transport routes; (f) access to public transport; (g) the efficient and safe movement of pedestrians, cyclists and public transport; (h) the need to provide for bicycle infrastructure on new arterial and collector roads in accordance with <i>Guide to Road Design Part 6A: Paths for Walking and Cycling 2016</i>; (i) the topography of the site; and (j) the future subdivision potential of any balance lots on adjoining or adjacent land.
<p>P1 – the proposed road has been created in the only feasible location where existing site entry from North Fenton Street had been utilised by the previous use.</p> <p>The design of the junction required consideration of existing constraints posed by the location of an existing property crossover and has been assessed and approved by Council's Infrastructure & Works Manager.</p> <p>The addition of the pedestrian pathway to Oldaker Street recognises the site's proximity to the CBD facilitating walkability to and from the site.</p>	

The proposed subdivision will result in varied sized lots configured to provide a transition between existing residential development along the north to the potential of higher density development along the south adjoining business properties along Oldaker Street. The design of the new junction and road are constrained by the site shape and an existing dwellings crossover to North Fenton Street. The new road has been designed to allow the safest option for road users.

The alterations to the existing carparking area at 34 Oldaker Street increases the available on site parking. As such, an assessment against C2 Parking and Sustainable Transport Code is not required. 34 Oldaker Street is listed as a Local Heritage Place under the Local Historical Heritage Code and meets the acceptable solution of C6.6.9 being that the proposed car parking is located behind the building line of the existing building.

The proposal does not necessitate assessment against other codes and there is no specific area plan which apply to the site.

The *Local Government (Building and Miscellaneous Provisions) Act 1993* (LGBMP) prescribes a public open space contribution of 5% of the total area of the land subject to subdivision.

The contribution is to be made in the form of land, however, should Council not require land, the contribution may be monetary. In this case, a land contribution is proposed in the form of a walkway between lots 1 and 2. In addition, the developer will fund the walkway and associated costs through 34 Oldaker Street. This matter has been discussed with the developer and Council and the public open space requirements under LGBMP are satisfied.

COMMUNITY ENGAGEMENT

On 01/06/2021, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 17/11/2021;
- (b) Making a copy of the proposal available in Council Offices from the 17/11/2021;
- (c) Notifying adjoining property owners by mail on 16/11/2021; and
- (d) Erecting a Site Notice for display from the 17/11/2021.

The period for representations to be received by Council closed on 01/12/2021.

REPRESENTATIONS

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representation as summarised has concerns regarding proximity of new road to property; number of potential residents; and loss of on-street parking.

A complete copy of the representation is **appended to this report as an attachment**.

- The southern boundary fence of 41 North Fenton Street will be provided with a buffer to the new road in the form of the nature strip. As discussed earlier in this report, the location and design of the new road is constrained by existing development on North Fenton Street, in particular the location and inability to relocate the crossover of 37 North Fenton Street. There was no alternative to the safe design of the junction.
- The Traffic Impact Assessment submitted with the application incorrectly reference a maximum number of 15 tenancies in section 6.7.1, however section 6.3 of the report identifies suitability of the junction being no different for 20 or 40 units.

The actual number of dwellings to be developed within the site cannot be determined, nor the type of residents, however development of this site for residential use was determined when the site was rezoned by the Planning Minister under the *Housing Supply Act 2018*.

The junction and layout of the new road providing access to North Fenton Street, and accompanying traffic impact assessment have been reviewed by Council's Engineering & Development Officer. The new road and associated junction have been deemed satisfactory by Council who are the relevant road authority in this instance.

- The Traffic Impact Assessment recommends 10m long no parking yellow line at each side of the junction to provide safe sight distances for road users. The loss of some on-street parking is required and the extent will be determined by Council at the final design stage of the junction. On-street parking is generally not allocated to a particular property and there are no requirements under the *Tasmanian Planning Scheme – Devonport 2020* which requires any to be provided or protected in this instance.

FINANCIAL IMPLICATIONS

No financial implications are predicted, unless an appeal is made against the Council's decision to the Resource Management and Planning Appeal Tribunal. In such instance,

legal counsel will likely be required to represent Council. The opportunity for such an appeal exists as a result of the Council determining to either approve or refuse the permit application.

RISK IMPLICATIONS

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

CONCLUSION

The application satisfies the relevant acceptable solutions and performance criteria under the *Tasmanian Planning Scheme – Devonport 2020* and a permit can be issued, subject to conditions. The proposal has been assessed by TasWater and Council's Development, and Infrastructure and Works departments, and can be approved with conditions.

ATTACHMENTS

1. Application - PA2021.0068 - 39A North Fenton Street and 34 Oldaker Street [**4.1.1** - 53 pages]
2. Representation - PA2021.0068 - 39A North Fenton Street and 34 Oldaker Street [**4.1.2** - 4 pages]

4.2 AM2021.03 - 215-221 TARLETON STREET EAST DEVONPORT - REZONE FROM GENERAL RESIDENTIAL TO LOCAL BUSINESS ZONE

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

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

RECOMMENDATION

That the Planning Authority:

- agree to certify amendment AM2021.03 to rezone land being CT21185/3 forming part of 215-221 Tarleton Street, East Devonport and a portion of CT158438/1 – Subdivision Road from the General Residential Zone to the Local Business Zone – as set out in **Attachment 1**; and
- place amendment AM2021.03 on public exhibition for a period of 28 days in accordance with Section 40G of the *Land Use Planning and Approvals Act 1993*.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide consistent and responsive development assessment and compliance processes

SUMMARY

The purpose of this report is to enable Council, acting as a Planning Authority, to determine whether to initiate an amendment to the *Tasmanian Planning Scheme – Devonport 2020* pursuant to Section 40F of the *Land Use Planning and Approvals Act 1993*. The amendment seeks to rezone CT21185/3 - part of 215-221 Tarleton Street and a portion of CT1158438/1 – Subdivision Road from the General Residential Zone to the Local Business Zone.

BACKGROUND

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	215-221 Tarleton Street, East Devonport - CT21185/3 Subdivision Road - CT158438/1
Applicant:	Donoj Pty Ltd
Owner:	Donoj Pty Ltd
Proposal:	Rezoning from the General Residential Zone to the Local Business Zone
Existing Use:	Vacant Land
Decision Due:	20/12/2021

SITE DESCRIPTION

The site is located to the north of the eastern end of the Victoria Bridge, Bass Highway and encompasses CT21185/3 which forms part of 215-221 Tarleton Street and a portion of CT158438/1 which is identified as a Subdivision Road. The site encompasses an area of approximately 2700m² and is currently vacant.

Land to the immediate north contains a long term established hotel industry use known as The Argosy. Uses on this site include visitor accommodation, restaurant, bars and associated vehicle parking and laundry facilities. Adjoining land use to the north-east can be best described as single dwelling development.

Figure 1 highlights the site subject to this application and the relevant title references. Figures 2 and 3 are images of the site looking from Tarleton Street and Riverview Avenue. Figure 4 is an image of the site with The Argosy complex outlined for reference.



Figure 1 – Aerial view of subject site with title overlay (DCC, 2021)



Figure 2 – Existing access from Tarleton Street. Land subject to the application is in the background of the image (Equilibrium Town Planning, 2021)



Figure 3 - Image of the site taken from Riverview Avenue primarily looking at CT 158438/1 (Equilibrium Town Planning, 2021)

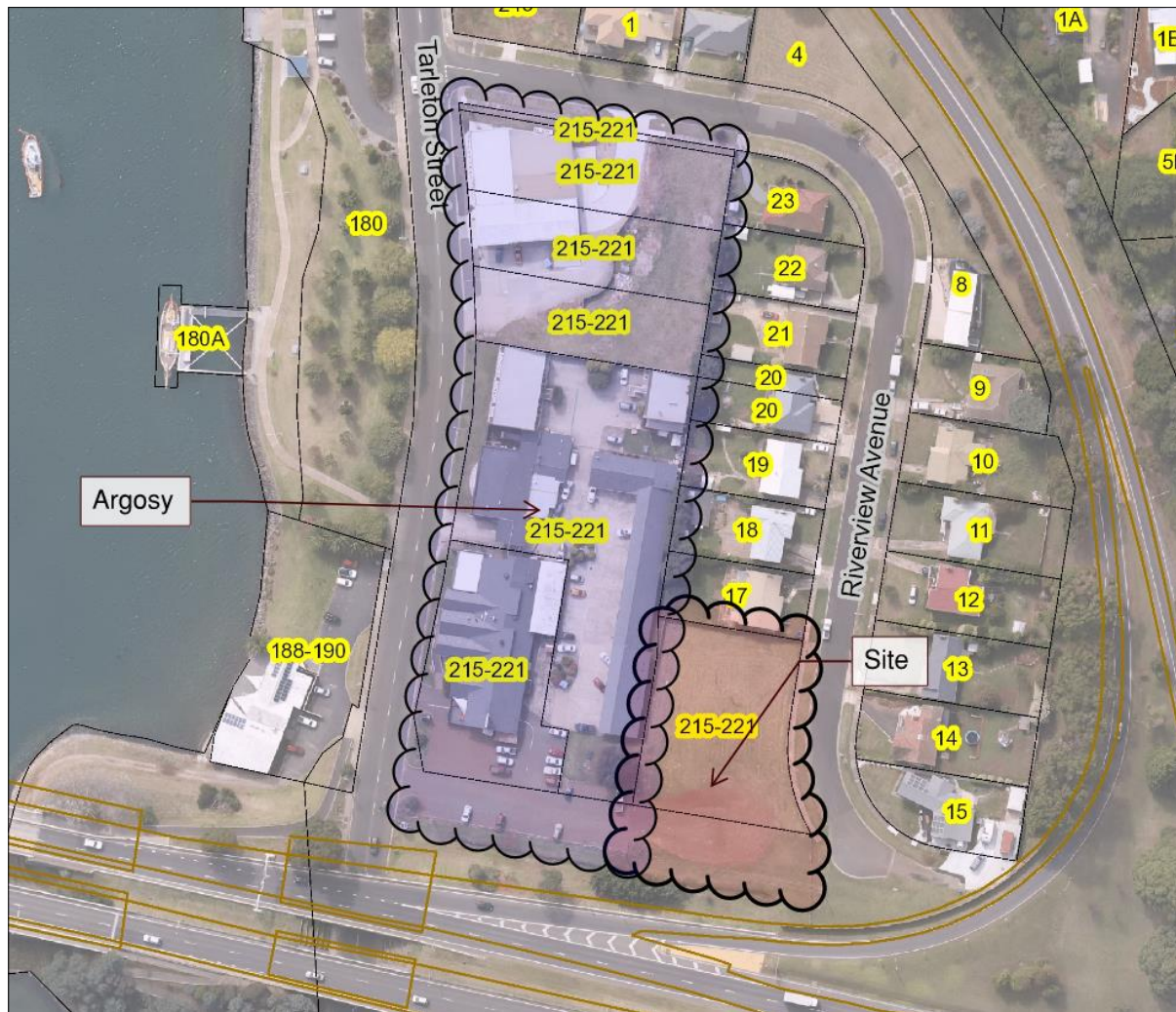


Figure 4 – Aerial photo showing the site shaded in red and the Argosy in blue (DCC, 2021)

CURRENT PLANNING CONTROLS

The site is zoned General Residential under the Tasmanian Planning Scheme - Devonport 2020.

The purpose of the General Residential zone is:

8.1.1 To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.

8.1.2 To provide for the efficient utilisation of available social, transport and other service infrastructure.

8.1.3 To provide for non-residential use that:

(a) primarily serves the local community; and

(b) does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.

8.1.4 To provide for Visitor Accommodation that is compatible with residential character.

A zoning map of the site and surrounding locality is illustrated in Figure 5 below. The site is immediately adjoined by the Local Business Zone to the west, General Residential Zone to the north, Utilities Zone to the south and various other zones within the site's locality.

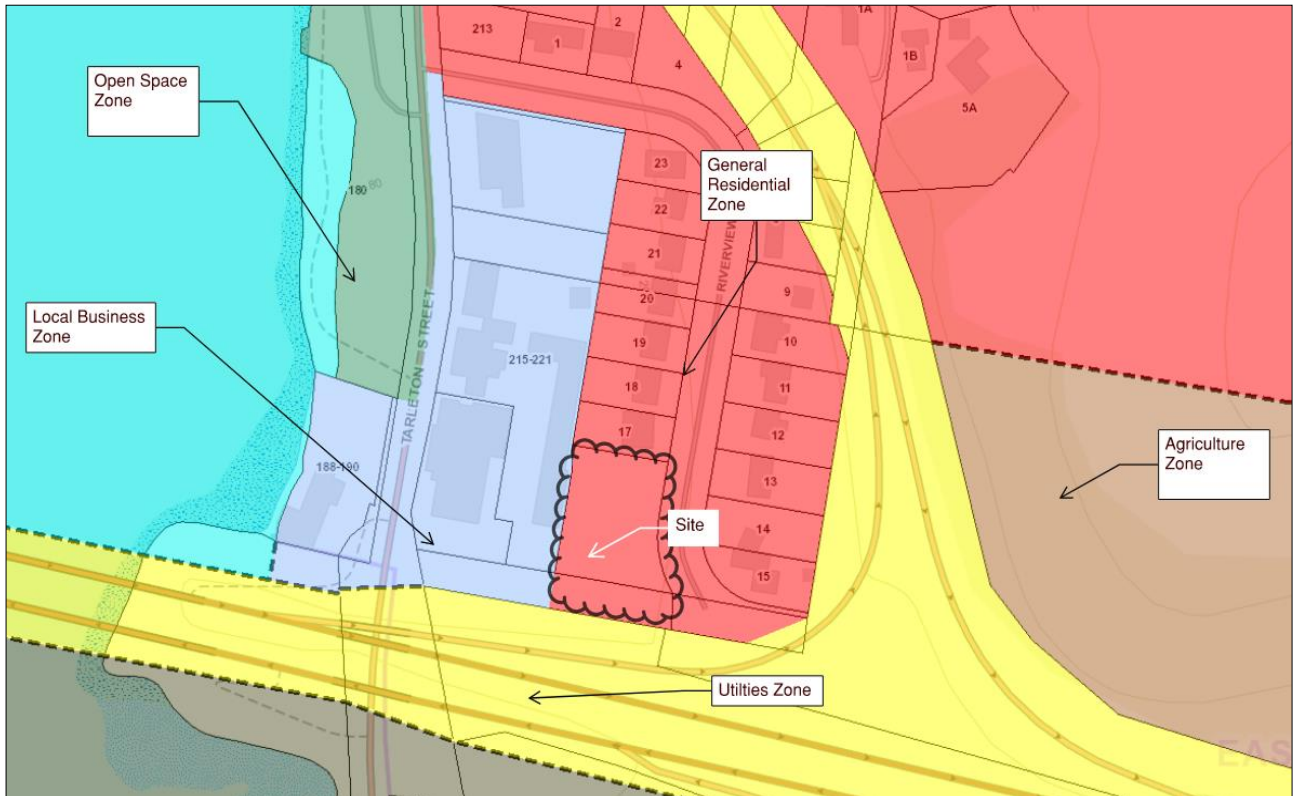


Figure 5 – Zoning Map (The LIST, 2021)

The only overlay that applies to the site is the Airport obstacle limitation area prescribed under C16.0 Safeguarding of Airports Code. The obstacle limitation area is 85m AHD. Any development anticipated for the site is expected to be comfortably under this threshold and therefore exempt from the provisions of the Code.

The Use Table for the General Residential Zone is outlined in clause 8.2 of the planning scheme and is reproduced on the next page as Figure 6.

8.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for a single dwelling.
Utilities	If for minor utilities.
Permitted	
Residential	If not listed as No Permit Required.
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a consulting room, medical centre, veterinary centre, child health clinic, or for the provision of residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre.
Educational and Occasional Care	If not for a tertiary institution.
Emergency Services	
Food Services	If not for a take away food premises with a drive through facility.
General Retail and Hire	If for a local shop.
Sports and Recreation	If for a fitness centre, gymnasium, public swimming pool or sports ground.
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

Figure 6 – Use Table for General Residential Zone (Tasmanian Planning Scheme – Devonport 2020)

AMENDMENT PROPOSAL

The draft amendment seeks to amend the Local Provisions Schedule (LPS) by rezoning the land described within Figure 1 from the General Residential Zone to the Local Business Zone. The amendment does not seek approval to amend any other planning controls relevant to the site e.g. code overlays. The application is made pursuant to section 37 of the *Land Use Planning and Approvals Act 1993* (LUPAA).

The draft amendment has been sought by Donoj Pty Ltd who own the subject land. They also own the Argosy site shown in Figure 4. Subject to a successful rezoning application, the landowner envisages completing the Argosy Hotel Masterplan plan via a staged development. A concept of the masterplan is shown below as Figure 7. The site is intended to be used for vehicle parking to support the existing and future uses on the Argosy site. No development component is proposed as part of this amendment application.

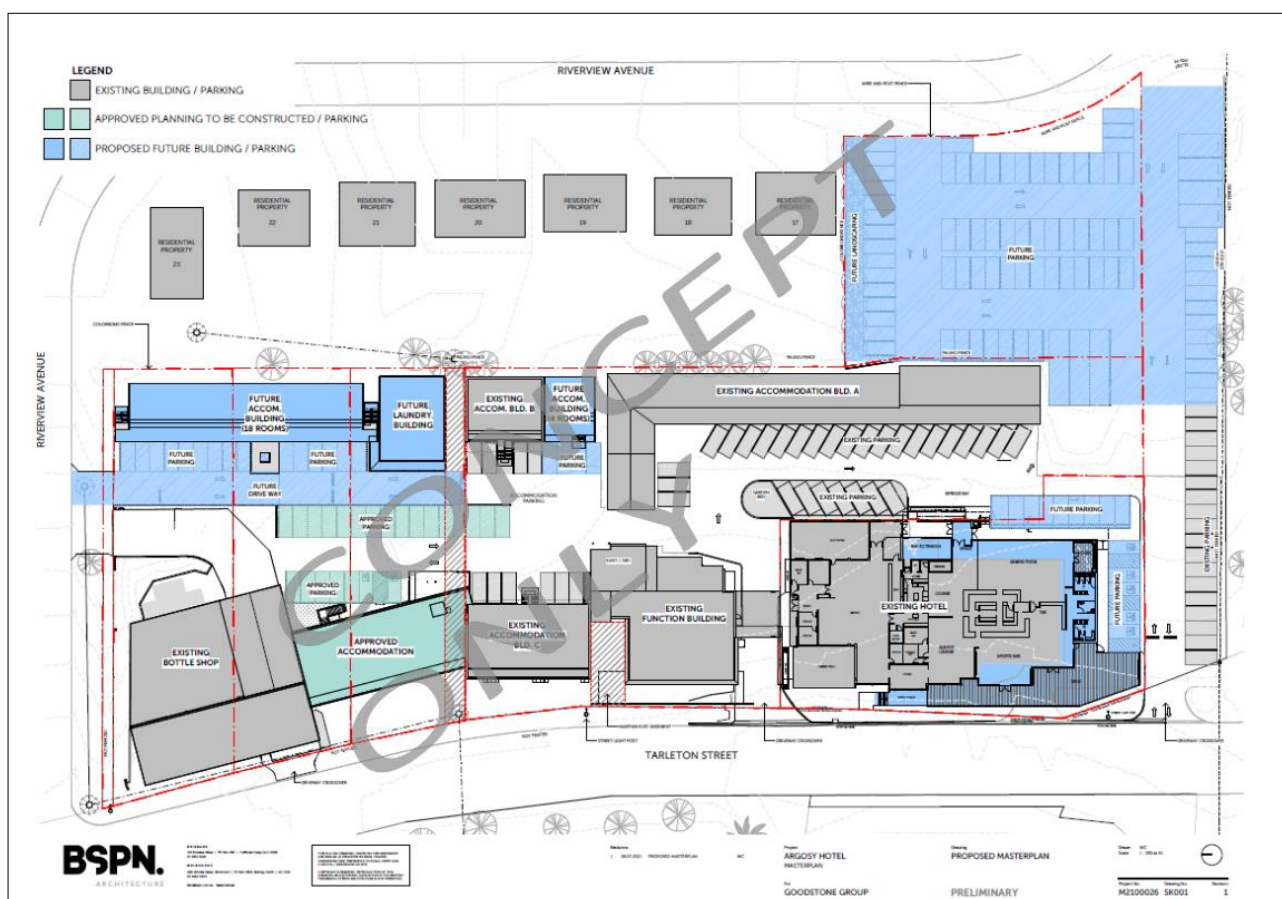


Figure 7 – Argosy Hotel Masterplan (Equilibrium Town Planning, 2021)

PROPOSED ZONE - LOCAL BUSINESS

The purpose of the Local Business Zone is:

14.1.1 To provide for business, retail, administrative, professional, community and entertainment functions which meet the needs of a local area.

14.1.2 To ensure that the type and scale of use and development does not compromise or distort the activity centre hierarchy.

14.1.3 To encourage activity at pedestrian levels with active frontages and shop windows offering interest and engagement to shoppers.

14.1.4 To encourage Residential and Visitor Accommodation use if it supports the viability of the activity centre and an active street frontage is maintained.

The Use Table for the Local Business Zone is outlined in clause 14.2 and is reproduced below as Figure 8.

14.2 Use Table

Use Class	Qualification
No Permit Required	
Business and Professional Services	
Food Services	
General Retail and Hire	
Natural and Cultural Values Management	
Passive Recreation	
Residential	If for home-based business.
Utilities	If for minor utilities.

Permitted	
Bulky Goods Sales	
Community Meeting and Entertainment	
Educational and Occasional Care	
Emergency Services	
Hotel Industry	
Pleasure Boat Facility	If for a boat ramp.
Research and Development	
Residential	If: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required.
Visitor Accommodation	If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises.

Discretionary	
Equipment and Machinery Sales and Hire	
Manufacturing and Processing	
Residential	If not listed as No Permit Required or Permitted.
Resource Processing	If for food or beverage production.
Service Industry	
Sports and Recreation	
Storage	
Tourist Operation	
Transport Depot and Distribution	If for: (a) a public transport facility; or (b) distribution of goods to or from land within the zone.
Utilities	If not listed as No Permit Required.
Vehicle Fuel Sales and Service	
Vehicle Parking	
Visitor Accommodation	If not listed as Permitted.
Prohibited	
All other uses	

Figure 8 – Use Table for Local Business Zone (Tasmanian Planning Scheme – Devonport 2020)

ZONE COMPARISON

The following table - reproduced as Figure 9 provides a detailed comparison of the uses allowable within the land zonings under assessment. Highlighted uses indicate use classes which are not possible under the current zoning which would become an option under the application of the Local Business Zone.

Implementation		
Status	Current Zone General Residential	Proposed Zone Local Business
No Permit Required		Business and Professional Services
		Food Services
		General Retail and Hire
	Natural and Cultural Values Management	Natural and Cultural Values Management
	Passive Recreation	Passive Recreation
	Residential (if for single dwelling)	Residential (if for home-based business)
	Utilities (if for minor utilities)	Utilities (if for minor utilities)
Permitted		Bulky Goods Sales
		Community Meeting and Entertainment
		Educational and Occasional care
		Emergency Services
		Hotel Industry
		Pleasure Boat Facility (if for a boat ramp)
		Research and Development
	Residential (if not listed as No Permit Required)	Residential (if: (a) located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises; and (b) not listed as No Permit Required)
	Visitor Accommodation	Visitor accommodation If located above ground floor level (excluding pedestrian or vehicular access) or to the rear of a premises)
Discretionary	Business and Professional Services (if for consulting room, medical centre, veterinary centre, child health clinic or for the provision of residential support services)	
	Community Meeting and Entertainment (if for a place of worship, art and craft centre, public hall, community centre or neighbourhood centre)	
	Educational and Occasional Care (If not for a tertiary institution)	

	Emergency Services	
		Equipment and Machinery Sales and Hire
	Food Services (If not for a take away food premises with a drive through facility)	
	General Retail and Hire (If for a local shop)	
		Manufacturing and Processing
		Residential (If not listed as No Permit Required or Permitted)
		Resource Processing (If for food or beverage production)
		Service Industry
	Sports and Recreation (If for a fitness centre, gymnasium, public swimming pool or sports ground)	Sports and Recreation
		Storage
		Tourist Operation
		Transport, Depart and Distribution (If for: (a) a public transport facility; or (b) distribution of goods to or from land within the zone)
	Utilities (if not listed as No Permit Required)	Utilities (if not listed as No Permit Required)
		Vehicle Fuel Sales and Service
		Vehicle Parking
		Visitor Accommodation (If not listed as Permitted)
Prohibited	All other uses	All other uses
N.B General retail and hire (other than a local shop); and Tertiary education also become possible		

Figure 9 – General Residential v Local Business Use Comparison (Equilibrium Town Planning, 2021)

As seen from the above table, there are various additional uses which have a permit pathway in the Local Business Zone. It is noted that no uses will be removed which are possible in the General Residential Zone.

Further commentary on the merit of the draft amendment is provided later in the report.

AMENDMENT PROCESS

Figure 10 is a flowchart by the Tasmanian Planning Commission (TPC) which outlines the approval process for an amendment to the LPS.

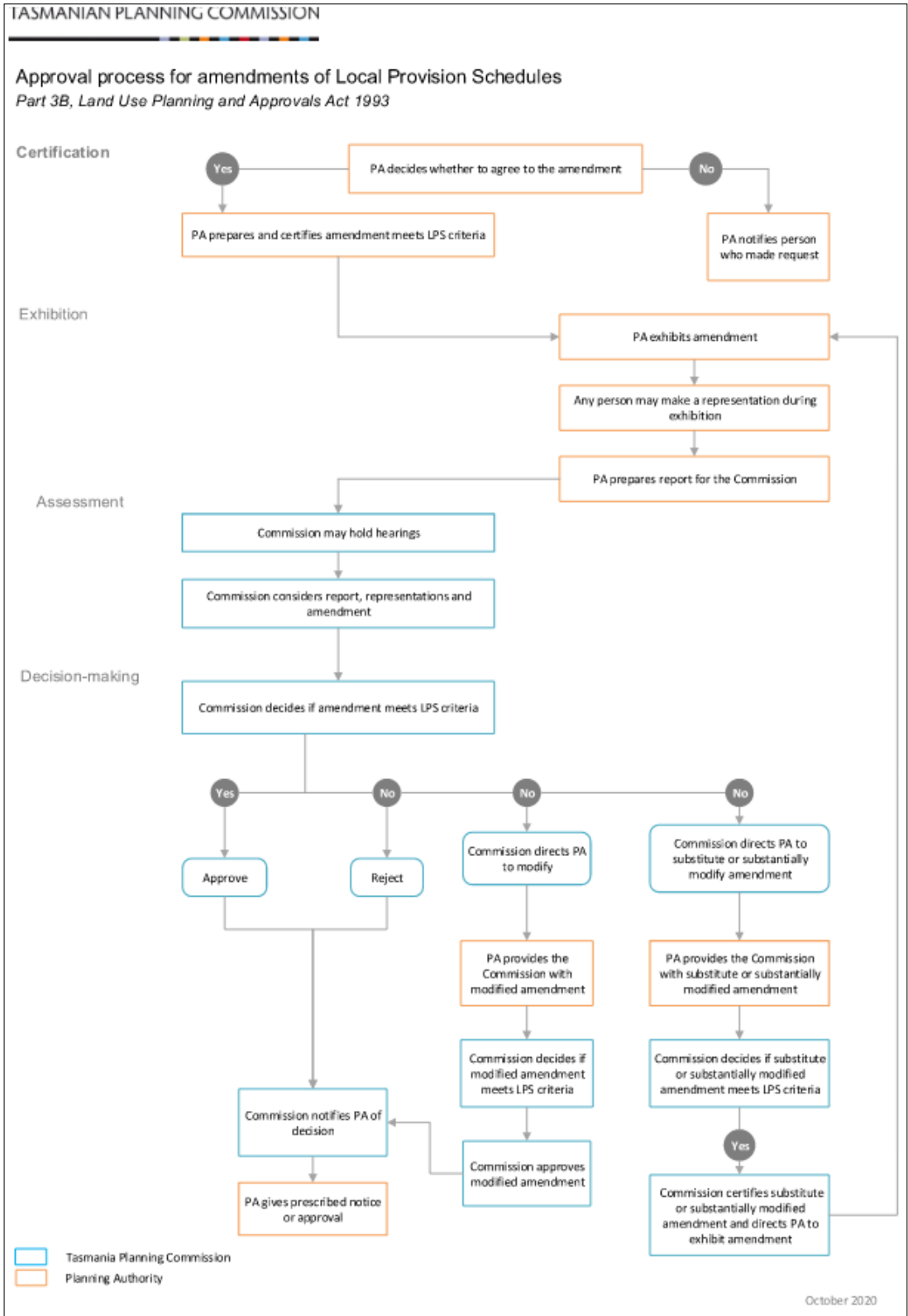


Figure 10 - Flowchart of LPS amendment process (TPC, 2020)

ASSESSMENT OF AMENDMENT & STATUTORY CONSIDERATIONS

To certify the draft amendment, the planning authority must be satisfied that the draft amendment meets the LPS criteria which is outlined within section 34 of LUPAA.

Equilibrium Town Planning on behalf of Donoj Pty. Ltd. has submitted an extensive assessment against the legislative requirements which can be found within **Attachment 2**.

Attachment 3, appended to this report, is the planning authority's response to the requirements of section 34 of LUPAA.

Further to satisfying the LPS criteria, the draft amendment is required to be consistent with the zone and code application guidance provided in *Guideline No. 1 Local Provisions Schedule (LPS): zone and code application*. A copy of this guideline can be found here - [Section 8A Guidelines – Tasmanian Planning Commission Website](#).

The Zone Application Guidelines for the General Residential is shown below as Figure 11.

Zone Application Guidelines	
GRZ 1	The General Residential Zone should be applied to the main urban residential areas within each municipal area which: <ul style="list-style-type: none">(a) are not targeted for higher densities (see Inner Residential Zone); and(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.
GRZ 2	The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if: <ul style="list-style-type: none">(a) within the General Residential Zone in an interim planning scheme;(b) within an equivalent zone under a section 29 planning scheme; or(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,
Note:	<i>The Future Urban Zone may be used for future urban land for residential use and development where the intention is to prepare detailed structure/precinct plans to guide future development.</i>
GRZ 3	The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process.

Figure 11 – Zone Application Guidelines for the General Residential Zone (TPC, 2018)

Hypothetically, it would be difficult to justify how the Zone Application Guidelines could be satisfied if the site was to be rezoned to the General Residential Zone as the site is highly constrained due to the proximity of the Bass Highway and the adjoining Argosy use.

The Zone Application Guidelines for the Local Business Zone is shown below as Figure 12.

Zone Application Guidelines	
LBZ 1	The Local Business Zone should be applied to land within urban settlements which provides, or is intended to provide, for the business, commercial and community functions within: <ul style="list-style-type: none"> (a) local shopping strips; or (b) town centres for some smaller settlements.
LBZ 2	The Local Business Zone may be applied to: <ul style="list-style-type: none"> (a) Local Centres and the lower order Minor or Neighbourhood Centres in the Activity Centre Network under the Southern Tasmania Regional Land Use Strategy; (b) Local or Minor Centres and the Neighbourhood or Rural Town Centres in the Regional Activity Centre Hierarchy under the Regional Land Use Strategy of Northern Tasmania; and (c) the main retail and business areas of Local Service Centres and Localities in the activity centres description in the Cradle Coast Regional Land Use Strategy.
LBZ 3	The Local Business Zone may be used for groups of local shops and businesses in existing residential areas where there is a strategic intention to maintain such uses, and the provisions of the surrounding residential zone are not appropriate.
LBZ 4	The Local Business Zone should not be used for individual, isolated local shops or businesses within residential areas, unless: <ul style="list-style-type: none"> (a) they are a use, or are of a scale, that is more appropriate for the Local Business Zone and there is an intention to maintain the use; or (b) there is a strategic intention to expand the existing retail or business area in this locality consistent with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council.

Figure 12 – Zone Application Guidelines for the Local Business Zone (TPC, 2018)

The application of the Local Business Zone will consolidate the existing use and development of the Argosy site. The rezoning has strategic intent to achieve the Argosy Master Plan which is illustrated in Figure 7. The rezoning will support urban settlements within the site's locality and the Local Business Zone offers protection to the adjoining residential uses through development standards prescribed within the planning scheme.

In summary, the draft assessment is consistent with Guideline 1.

COMMUNITY ENGAGEMENT

Subject to the draft amendment being supported by the planning authority, it must be placed on public display for a period of 28 days pursuant to section 40G of LUPAA. During this exhibition period, representations can be made in accordance with the provisions outlined in section 40J of LUPAA.

In the event representations are received, the planning authority must assess their content and modifications can be made to the draft amendment if required. A report will be prepared for the planning authority to consider. If no representations are received, the General Manager has delegation to progress the rezoning application to the TPC as no further assessment is required.

FINANCIAL IMPLICATIONS

No financial implications are predicted as a result of this proposal.

CONCLUSION

The application of the Local Business Zone would broaden the land uses possible on the site to align with those on the adjoining land within the Local Business zone, whilst also protecting adjoining residential land uses in Riverview Avenue. The draft amendment can be supported.

ATTACHMENTS

1. Certified Draft Amendment - AM2021.03 - 215-221 Tarleton Street East Devonport [4.2.1 - 1 page]
2. Application Documentation - AM2021.03 - 215-221 Tarleton Street East Devonport [4.2.2 - 99 pages]
3. Section 34 LUPAA - Planning Authority Assessment - AM2021.03 - 215-221 Tarleton Street East Devonport [4.2.3 - 3 pages]

5 REPORTS

5.1 TENDER REPORT CONTRACT CP0219 PEDESTRIAN BRIDGE FIGURE OF EIGHT CREEK

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

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

RECOMMENDATION

That Council, in relation to Contract CP0219 Pedestrian Bridge Figure of Eight Creek, and subject to confirmation of funding from the Local Roads and Community Infrastructure Phase 3 Grant:

- a) award the contract to Buildrite Construction for the tendered sum of \$446,951 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$12,981 (ex GST); and
- c) note a construction contingency of \$55,868 (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 CP0219 Pedestrian Bridge Figure of Eight Creek to Buildrite Construction.

BACKGROUND

This report considers tenders received for "New pedestrian bridge – Figure of Eight Creek – Woodrising to Maidstone Park" listed within the 2021/22 capital expenditure budget.

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 three companies. All tenders are summarised in table 1 below:

TABLE 1

No.	Tender	Total Price (ex GST)
1	Buildrite Construction	\$446,951
2	Ritson Family Trust	\$528,760
3	Bridgepro Engineering	\$678,600

As highlighted in Table 1, Buildrite Construction (\$432,906) is the lowest priced tender. The Tender Planning and Evaluation Committee has considered each of the selection criteria and Buildrite Construction has ranked highest overall and therefore offers Council the best value for money.

Buildrite Construction have not completed work previously for Council. However, the key personnel included in their tender submission have previously completed work for Council with other entities and have suitable experience on relevant projects for other clients. The information provided was considered by the Tender Assessment Panel and reflected in the tender assessment.

COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in The Advocate Newspaper on 23 October 2021 and tenders were also advertised on Council's website.

FINANCIAL IMPLICATIONS

The 2021/22 capital expenditure budget includes an allocation for the "New Pedestrian Bridge – Figure of Eight Creek – Woodrising to Maidstone Park" Project of \$500,000.

Council's adopted budget includes a \$250,000 allocation, with the remaining \$250,000 to be sourced externally. The Local Roads and Community Infrastructure Phase 3 Grant from the Federal Government Department of Infrastructure, Transport, Regional Development and Communications provides the externally funding opportunity for this project. Council has been allocated \$1,013,466 under this Grant and has nominated the Figure of Eight Creek Bridge as a project to be delivered from this funding allocation. Approval is expected in December 2021.

The quote received from Buildrite Construction is \$446,951. This, and other project costs are summarised below in Table 2.

TABLE 2

No.	Tender	Budget (ex GST)
1	CP0219	\$446,951
2	Project management/administration	\$12,900
3	Construction contingency 12.5%	\$55,868
4	reduction in footpath width	-\$17,000
	TOTAL	\$498,719

A cost saving opportunity was identified through reducing the approach paths widths from 3m to 2.5m, which is still within the requirements of the Bike Riding and Pedestrian Strategies and allow the project to be delivered within the budget allocation.

RISK IMPLICATIONS

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

CONCLUSION

Considering the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Buildrite Construction has achieved the highest total score and is therefore most likely to offer "best value" in relation to CP0219 Pedestrian Bridge Figure of Eight Creek.

The execution of the contract is subject to the confirmation of external funding from the Local Roads and Community Infrastructure Phase 3 Grant.

ATTACHMENTS

Nil

5.2 DEVONPORT SPORTS INFRASTRUCTURE MASTER PLAN 2035

Author: **Carol Bryant, Executive Officer**

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

RECOMMENDATION

That Council:

1. note the feedback received during the 30-day public consultation period on the Devonport Sports Infrastructure Master Plan;
2. endorse the Devonport Sports Infrastructure Master Plan 2035 as presented by the Sports Infrastructure Master Plan Working Group; and
3. commence operational and precinct planning and analysis in accordance with the implementation plan and priorities contained in the Master Plan, and in consultation with current and future user groups.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|---|
| Strategy 2.3.4 | Provide and maintain Council buildings, facilities and amenities to appropriate standards |
| Strategy 4.1.1 | Provide and manage accessible sport, recreation and leisure facilities and programs |

SUMMARY

This report presents the Devonport Sports Infrastructure Master Plan 2035 prepared by the Sports Infrastructure Working Group to Council following a 30-day public consultation period.

BACKGROUND

The Devonport Sports Infrastructure Master Plan provides a framework to develop public sports infrastructure that supports wider community participation in sport, health, and wellbeing activities to 2035 and beyond.

The Master Plan vision is:

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

The objectives of the Master Plan are to:

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

To guide project development, Council established a Master Plan Working Group in July 2020 (Min No. 20/14, Min No. 20/37 refers) with representatives from local and state sporting organisations (Devonport Cricket Club, Devonport Netball Association, Devonport City Football Club, Basketball Tasmania, Tennis Tasmania), Communities Tasmania, Council elected members and staff.

At the meeting held 25 October 2021, Council resolved (Min No. 21/219 refers) to note the draft Devonport Sports Infrastructure Master Plan 2035 as presented by the Sports Infrastructure Master Plan Working Group and:

1. Release the Master Plan for a minimum 30-day public consultation period; and
2. Develop a staged operational plan for progressing Master Plan recommendations.

STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

DISCUSSION

The draft Master Plan was released for public consultation from 29 October – 29 November 2021. Three surveys were made available:

1. Community survey - online and print copy via Speak Up Devonport
2. Sporting clubs survey - distributed directly via email
3. State sporting organisations - distributed directly via email

A summary is provided below with unedited outcomes attached.

Community Survey

- 113 responses received – 112 completed online, one via print
- 83% respondents reside in the Devonport municipality
- Level of agreement with guiding principles and project recommendations per precinct is outlined in the following table:

Key Master Plan Element	No. respondents that answered question	Percentage respondents that 'agree' or 'strongly agree' with recommendations
Guiding Principles	93	91%
Meercroft Park projects	81	79%
Devonport Oval projects	76	71%
Byard Park projects	75	85%
Devonport Recreation Centre projects	74	90%
East Devonport Recreation and Function Centre + Girdlestone Park projects	73	78%
Maidstone Park projects	81	79%
Valley Road Football Centre projects	71	55%
Don Recreation Ground projects	70	64%

Sporting Clubs Survey

- 8 sporting clubs completed the survey – Devonport Bulls Rugby Club, Van Diemen Rollers, Devon Darts, Mersey Valley Devonport Cycling Club, Devonport Warriors Basketball Club, North West Hockey Centre, East Devonport Football Club, Devonport City Strikers Football Club (late submission)
- 2 provided comment via email submission – Maidstone Park Management Controlling Authority, Devonport Football Club (late submission)

- 2 Clubs provided comment in the community survey – Devonport Touch Association, Mersey Colts Cricket Club
- 1 Club provided comment in the SSO survey – Devonport Squash Club
- Level of agreement with guiding principles outlined in the following table:

Key Master Plan Element	No. respondents that answered question	Percentage respondents that 'agree' or 'strongly agree' with recommendations
Guiding Principle – Maximise carrying capacity	8	100%
Guiding Principle – Multi-use facilities	8	87%
Guiding Principle – Strategic investment	8	100%

- Clubs were then asked to prioritise recommended projects. Majority completed questions relevant to facilities owned or leased by their club (details in attachments)
- Comments largely received in line with recommended projects

State Sporting Organisations

- 3 state sporting organisations submitted responses – Basketball Tasmania, AFL Tasmania, Football Tasmania (late submission) + one club (Devonport Squash)
- Level of agreement with guiding principles outlined in the following table:

Key Master Plan Element	No. respondents that answered question	Percentage respondents that 'agree' or 'strongly agree' with recommendations
Guiding Principle – Maximise carrying capacity	4	100%
Guiding Principle – Multi-use facilities	4	75%
Guiding Principle – Strategic investment	4	100%

- Respondents were then asked to prioritise recommended projects. Majority completed questions relevant to facilities owned or leased by their affiliated clubs (details in attachments)
- Comments largely received in line with recommended projects

Amendments to Draft Master Plan

Based on the feedback received by the broader community, sporting clubs, and state sporting organisations, the Sports Infrastructure Master Plan Working Group have made one amendment to the recommended projects, as follows:

Project as outlined in the draft Master Plan	Amendment
10. Maintain cycling track and investigate possible improvements, for instance safety fencing and track resurfacing	10. Investigate feasibility of improvements to cycling track This change recognises that further analysis is required to understand future demand for the facility along with safety concerns

Implementation of Master Plan

The Devonport Sports Infrastructure Master Plan Working Group wish to reiterate that Council be responsible for coordinating the implementation of the Plan, together with sporting clubs, state sporting organisations and other partners. It is suggested that Council undertake four key actions:

1. Develop a staged operational plan for progressing Master Plan recommendations, and review on a regular basis.
2. Where required, and in accordance with the operational plan, undertake detailed precinct planning and project assessment. This includes working with key stakeholders to further examine:
 - Need for facility improvements, including cost benefit analysis
 - Vision and objectives for the facility, including intended level (i.e., local/regional, community/elite sport)
 - Appropriate location of facility at existing or alternative site(s), understanding the physical and social opportunities and limitations
 - Design principles that address functionality, user experience, environmental and financial sustainability
 - Ongoing asset management arrangements
 - Key risks and mitigation measures
 - The optimal construction and operation model of the facility including understanding capacity and financial feasibility.
3. Where resources permit, support sporting organisations and other key user groups to build their capacity to plan, fund and operate facility improvements as recommended in the plan.
4. Work together with sporting clubs, state sporting organisations and other partners to actively pursue funding and other investment.

COMMUNITY ENGAGEMENT

The Master Plan has been informed through information and feedback provided by local sports clubs, state sporting organisations and broader community input.

Of the 23 sports who own or regularly lease Council property, 21 provided contributions via survey response and/or meetings and email correspondence. 24 of the existing 32 local sports clubs (75% response rate) and 11 of the existing 20 state sporting organisations (55%) responded.

General feedback from the broader community was sought through an online and print survey conducted in late September 2021 which attracted 250 responses and a second survey in November 2021 that attracted 113 responses as discussed previously.

Consultation outcomes on the draft Master Plan are contained in the attachments.

A presentation was made to Council at a workshop on 13 December from representatives of the following six clubs who currently use the Devonport Oval, Devonport Recreation Centre and Byard Park.

- Devonport Football Club
- Devonport Cricket Club
- Mersey Valley Devonport Cycling Club
- Devonport Athletic Club
- Mersey Colts Cricket Club
- Devonport Warriors Basketball Club

The Group presented a shared vision to redevelop the existing Byard and Devonport Oval facility into the premier sporting precinct, creating a multi-use sporting and community hub for the City. The proposal generally aligns with principles within the Master Plan and offers an opportunity for Council to work with a united group consisting of six sports to progress a suitable precinct plan.

FINANCIAL IMPLICATIONS

The 30 projects recommended have an estimated capital value \$79.25M, and operational cost of \$4.8M per annum. In broad brush terms this represents an additional new asset component of \$63.8M and additional operational expenditure of up to \$3.8M per annum. In 2021, Council invested 4.5% of total income in operational expenditure for sports facilities (\$1.82M of \$40.44M). Undertaking all recommend projects would increase this to 12.1% (\$5.62M of \$46.5M assuming 15% increase in total income).

This is unlikely to be financially viable for Council alone, hence alternative models of operation, including revenue generation, should be explored. It further reinforces the benefits of forging stronger partnerships between local and state sporting organisations, community/health services, Council, and other key stakeholders to deliver high quality accessible and affordable sports infrastructure, that ultimately aims to transform the health and activity of our City's residents and visitors.

RISK IMPLICATIONS

- **Asset & Property Infrastructure**
Many sports facilities are nearing their end of life and are no longer fit for purpose, requiring renewal to meet current standards and future sporting and community needs. Assets of the nine sporting precincts have a combined written down carrying value of 41% (59% consumed). This is at the higher end of Council's Asset Consumption Ratio target of Between 40% and 60%, as outlined in the DCC Financial Management Strategy 2031. Failure to renew assets can lead to deteriorating or failing assets, asset-based services not meeting community need, and higher maintenance costs.
- **Consultation and/or Communication**
Given the high levels of community participation in sport, the community would have an expectation that Council delivers a plan reflective of shared concerns and ideas for improvement. There is a low reputational risk that not having a Master Plan may signal to interested community members and organisations that investment in sporting infrastructure is a low priority of Council.

CONCLUSION

The Devonport Sports Infrastructure Master Plan provides a framework to develop public sports infrastructure that supports wider community participation in sport, health, and wellbeing activities to 2035 and beyond.

A working group of local sporting clubs and peak organisations, Communities Tasmania, and Council have conducted research and consultation to identify 30 improvements, estimated at \$79.25M.

Based on the feedback received by the broader community, sporting clubs, and state sporting organisations during the second consultation phase in November 2021, the Sports Infrastructure Master Plan Working Group have made one amendment to the recommended projects.

The Working Group wish to reiterate that the Devonport City Council should be responsible for coordinating the implementation of the Master Plan together with sporting clubs, state sporting organisations and other partners. This includes undertaking detailed precinct planning and design work to understand project feasibility.

ATTACHMENTS

1. Sports Infrastructure Master Plan Part A. Key Findings and Projects [**5.2.1** - 36 pages]
2. Sports Infrastructure Master Plan Part B. Context [**5.2.2** - 54 pages]
3. Draft Sports Infrastructure Master Plan Consultation Outcomes [**5.2.3** - 97 pages]

5.3 COASTAL PATHWAY - UPDATE

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

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

RECOMMENDATION

That Council:

1. Note that the total Council contribution required for the construction of the two sections of Coastal Pathway in the Devonport municipality is forecast to be \$2,241,255.
2. Allocate \$441,255 for the completion of the Don to Leith Section of the Coastal Pathway in its 2022-23 capital works program.
3. Advise Cradle Coast Authority that Council has sufficient funds to proceed with the execution of a contract for the construction of the Don to Leith section of the Coastal Pathway.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- | | |
|----------------|--|
| Strategy 2.3.2 | Provide and maintain roads, bridges, paths and car parks to appropriate standards |
| Strategy 5.5.2 | Ensure comprehensive financial planning and reporting to guarantee sustainability and meet or exceed financial targets |

SUMMARY

This report provides an update on the Coastal Pathway and provides a proposal for funding the completion of the Don-Leith section.

BACKGROUND

Cradle Coast Authority (CCA) has been engaged by Latrobe Council, Central Coast Council and Devonport City Council to deliver four sections of Coastal Pathway, initially funded by equal contributions from Federal, State and local governments totalling \$14.4M. Completion of these sections provides a continuous path between Latrobe and Sulphur Creek.

The estimated cost of work in the Devonport municipality was \$4.8M, requiring a one-third commitment of \$1.6M. Council made this commitment across two financial years (2019-20 and 2020-21) to align with the original construction program.

The structure of the funding agreement placed the risk of cost overruns with CCA. CCA and the three councils subsequently entered a memorandum of understanding which agreed that the relevant council would meet any cost overruns in their municipality. This is a common arrangement as the external funding bodies seek to confirm their total commitment at the time of the agreement.

The two sections of the Coastal Pathway in the Devonport municipality are:

Latrobe to Ambleside:

Around 1km of this 3.5km section on River Road is in the Devonport municipality, with the remainder in the Latrobe municipality. This section was completed in early 2021.



Don to Leith:

This 6.7km section is mostly within the Devonport municipality, with only 0.6km outside Devonport's western border with Central Coast.

This section has two distinct components to be delivered under two construction contracts:

- The new bridge over the Don River and the approaches to the bridge are currently under construction and to be completed in December.



- The remainder of the path between Waverley Road and Leith has been tendered and tenders have been assessed. This section includes a sub-package of work to be procured and delivered by TasRail in accordance with their requirements. The cost of this work is yet to be confirmed at the time of this report, so cost estimates have been used for forecasting purposes. To proceed with the project, Central Coast Council and Devonport City Council must now confirm to CCA that they endorse the execution of a contract to construct this section and have the available funds to meet the costs of the project in their respective municipalities.

STATUTORY REQUIREMENTS

Section 74 of the *Local Government Act 1993*:

"A council may expend its funds for the purpose of exercising its powers or carrying out its functions under this or any other Act within the estimates adopted under section 82".

With respect to this requirement, Council must ensure its adopted budget is adequate to deliver the commitments it, or CCA, as its agent, is entering into.

DISCUSSION

CCA has undertaken a tender process for the Don (from Waverley Road) to Leith section. Submitted tenders have been assessed and a preferred tender has been identified. Based on the submission of the preferred tenderer, the forecast cost of this section of the pathway has been determined.

Based on project costs to date, tender prices and forecast costs to completion, there is a funding gap that must be addressed to complete the project objectives and comply with

the external funding agreements. The details of the funding gap and a proposal to overcome this gap is provided in the Financial Implications section of this report.

COMMUNITY ENGAGEMENT

No community engagement has been undertaken in preparation for this report. However, there has been extensive consultation relating to Coastal Pathway over many years and project specific consultation is continuing to occur with relevant stakeholders.

FINANCIAL IMPLICATIONS

Council has made three budget allocations toward the completion of the Latrobe-Ambleside and Don-Leith sections of the Coastal Pathway. In 2019-20, \$600,000 was allocated with a further \$1,000,000 allocated in 2020-21. These two commitments met the requirement of the State and Federal funding agreements as one-third of the total estimated cost of the construction cost in the Devonport municipality.

A further \$200,000 has been allocated in 2021-22 recognising that forecast at the time exceeded the initial budget allocation, but there are some large cost elements that remained unconfirmed.

Following the tender assessment of the Don-Leith section, a cost forecast was updated.

Table 1 provides a breakdown of the forecast total project cost within the Devonport municipality.

Table 1

No.	Tender	Budget (ex GST)
1	Contract value – with all reasonable cost savings included	\$2,060,049
2	Contract provisional sums	\$208,180
3	TasRail works (estimated)	\$700,000
4	Land acquisition and other third-party costs	\$40,000
5	Design and project management costs	\$208,000
6	Contingency (5% of contract value)	\$103,002
	TOTAL	\$3,329,231

Cost savings include reverting the path surface to asphalt, which has a shorter asset life and high maintenance requirement but offers a construction cost saving of \$558,620. A section of path at the intersection of Waverley Road and Don Heads Road has been omitted, requiring path users to be on the road surface, but providing a saving of \$110,727.

This reduced scope of work delivers the necessary project objectives and is considered the lowest realistic cost to complete the Don to Leith link to a level likely to be suitable for the majority of users.

Funding from all three levels of government is required to meet the forecasts costs from Table 1. From the initial State and Federal contributions, \$709,009 remains from each, following the Latrobe to Ambleside link and the Don River Bridge. CCA negotiated an additional \$600,000 funding allocation from the State Government to address project cost increases associated with design and construction changes, land acquisition and additional fencing requirements which were not apparent until the project had advanced significantly. This leaves \$1,311,213 required from Council, as shown in Table 2.

Table 2

Funding source	Value
Federal Government Funding	\$709,009
State Government Funding	\$709,009
State Government Funding(additional)	\$600,000
DCC funding required	\$1,311,213
TOTAL	\$3,329,231

Combining actual and forecast costs across all the three work packages shows the total cost to Council relative to the budget allocation. This is shown in Table 3.

Table 3

	DCC Budget	Actuals / Forecast	Variance
Latrobe to Ambleside	\$326,060	\$459,376	\$133,316
Don River Bridge and approaches	\$371,505	\$470,667	\$99,162
Don to Leith	\$902,435	\$1,311,213	\$408,778
additional 2021-22 budget allocation	\$200,000	\$-	(\$200,000)
Total	\$1,800,000	\$2,241,255	\$441,255

The summary of the financial status of the project is that the total cost to Council for the Coastal Pathway project is forecast to be \$2,241,255. Therefore, there is a funding gap of \$441,255. In accordance with the funding agreements, Council is obligated to fund cost overruns on the path sections in its municipality.

There are several factors that have contributed to the original budget being inadequate to deliver the project:

- Market conditions: The Don River Bridge and Don-Leith section were tendered in a period with abundant work in the civil construction industry. This can result in less competitive tender prices than during slower market conditions.
- Material supply: Vital materials have seen significant recent cost increases and supplies have been disrupted, mainly due to the COVID-19 pandemic, but compounded by a stimulated construction industry.
- Time: Related to the above point, cost estimates were reviewed in 2018, but the timing of the funding announcement meant an older estimate for the Latrobe-Ambleside section was used. Escalation of costs over time has contributed to the funding gap.
- It is understood both Latrobe and Central Coast Councils have or may incur similar funding shortfalls based on the state and federal government contributions that were locked in at 2018 rates, and with cost over-runs to be met by local government partners

- Stakeholder requirements: Accommodating third party stakeholders including TasRail and private landowners has been considerably more costly than estimated. As a result, the cost estimates at the time were optimistic.

Project forecasts for Council's 2021-22 capital works program indicate that Council does not have capacity within this year's program to reallocate savings from other projects towards this funding gap.

Choosing to advise CCA not to proceed with the construction of the Don-Leith section of path is not recommended. This action would have serious impacts on Council's relationship with its neighbouring council's and would be a breach of the funding agreements. The existing funding agreements are likely to be the only opportunity to complete this link with the level of external funding already secured, which is a much better outcome than if Council needed to entirely self-fund the section in the future.

The only reasonable option, and recommended solution is to make a funding allocation of \$441,255 in the 2022-23 capital works program. This allocation would enable Council to confirm to CCA that it can proceed with the engagement of a contractor for the Don-Leith section and therefore complete the project. An allocation in 2022-23 is compatible with the likely construction program and cashflow which is expected to be complete by December 2022.

Such an allocation impacts Council's forward capital works program as projects of an equivalent value that may have been delivered in 2022-23 will need to be deferred.

However, this impact has been offset by recent external funding commitments, including the previously unforeseen allocation of around \$2.5M over three phases of the Local Roads and Community Infrastructure (LRCI) Program. These funding opportunities have allowed Council to bring forward the delivery of several projects from the outer years of the forward capital works program which include the delivery of otherwise unfunded actions from Council strategies.

RISK IMPLICATIONS

In pursuing external funding agreements through CCA, Council has taken on the risk of cost overruns on its sections of the Coastal Pathway. This risk exists and is accepted with most external funding opportunities. During the delivery of the project to date, several factors have combined to result in the total cost to Council being \$441,255 over its current allocation, even though effects have been made to manage costs through the design and construction phases.

The risks of electing not to progress with the project far outweighs the financial cost of progressing, especially since the opportunity cost of providing the additional funding in 2022-23 has been offset by recent external funding including LRCI.

CONCLUSION

CCA has entered into funding agreements on behalf of three councils to deliver four sections of the Coastal Pathway. These funding agreements require the relevant council to meet any cost overruns on the project.

The status of the project within the Devonport municipality is that a cost overrun of \$441,255 is forecast.

An allocation is required in Council's 2022-23 capital works program to meet this cost overrun and deliver the project.

Council has been allocated significant levels of external funding that have allowed priority projects to be delivered and brought forward in the works program. This means that it is

unlikely that any other priority project will be deferred from 2022-23 as a result of the additional allocation required for the Coastal Pathway.

ATTACHMENTS

Nil

5.4 STREET TRADING POLICY

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

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

RECOMMENDATION

That Council adopt the Street Trading Policy to be effective immediately and changes to Street Trading Licenses areas to be effective from 1 July 2022.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 3.3.1 Improve the City's physical access and connectivity focusing on linkages to and from key access points

SUMMARY

This is a review of the Street Trading Policy to ensure that it remains current and relevant to business requirements.

BACKGROUND

Street trading relates to an individual, organisation or business that sells or offers for sale goods, merchandise or services, including food and portable signs, on a regular or permanent basis.

Council recognises the importance of street trading for businesses and the positive impact this activity can have on vibrancy in the City. Council is also aware that there is a requirement to ensure that movement through city streets remains safe.

Council first adopted the Street Trading By-Law No.1 of 2010 in June 2010. It was introduced to "*regulate and licence street trading on public streets under the control of the Devonport City Council*". By-Law No.1 of 2010 expired in 2020 and was renewed with Street Trading By-Law No.2 of 2020 in July 2020 (the By-Law).

The Street Trading Policy (the Policy) was adopted to assist Council with the implementation of the By-Law. The Guidelines for Street Trading Applications were developed to assist businesses to comply with the By-Law and the Policy.

The Policy is due for review and this report is a result of that review.

STATUTORY REQUIREMENTS

There are no specific statutory requirements which relate to this report. The Street Trading Policy details how Council will implement the Street Trading By-Law.

DISCUSSION

Since the original By-Law was adopted, street trading in the City has evolved. The current Policy details areas, on a map, where Street Trading Licenses are required. These areas reflect where businesses, at the time, were displaying goods for sale on trade tables, offering street dining or displaying portable signage. The popularity of street trading has grown to the point where an internal review of the Policy resulted in questions about the relevance

of the areas on the map that inform enforcement of the By-Law. The current areas on the map are difficult to explain and justify to operators.

Several options have been considered regarding the best approach to the application of the Street Trading By-Law. The options have been summarised in the table below:

- Retain the current map and continue to charge an annual Street Trading License fee for any business that is located within the areas on the map attached to the Street Trading Policy. This option is not preferred because:
 - The map is difficult to explain and justify to operators and the community.
 - By-Law applies for the entire municipality. Only businesses indicated on the map have to pay for a Street Trading License which may not be considered fair and equitable.
- Alter the existing map to reflect the current areas used for street trading and street dining. This option is not preferred because:
 - The By-Law applies for the entire municipality. Only businesses indicated on the new map would have to pay for a Street Trading License which may not be considered fair and equitable.
 - Over time, the areas indicated on the map may no longer represent the only areas that Street Trading is occurring. This is the problem with the current map.
- Remove the map from the Policy and apply Street Trading Licences throughout the entire municipality. This is the recommended option for the following reasons:
 - The By-law applies for the entire municipality.
 - All businesses are treated consistently.

Removing the nominated areas from the Policy means that areas such as Spreyton, Miandetta, the Bluff, etc. will be required to have an applicable Street Trading License for any trading they conduct on Council managed land. Currently those businesses are required to comply with the By-Law but not pay for a Street Trading License. It is suggested that those changes become effective from 1 July 2022. Council will ensure these changes are promoted to businesses.

This change will require, from July 2022, an increased number of businesses to obtain a Street Trading License to be able to continue to display their business sign, trade or conduct street dining from the road reserve.

The 2022/2023 budget deliberations will allow Council to review the application fee and license fee. The current fees and charges for street trading are:

- application fee (per annum) - \$30, and
- license fee (per annum) - \$15 per m².

COMMUNITY ENGAGEMENT

No community engagement has been undertaken in the preparation of this report.

FINANCIAL IMPLICATIONS

Currently the annual income from street trading licences is about \$5,000.

There are no financial implications for Council from adopting this report, however a review of the Policy that increases the areas that are required to have a Street Trading license will increase the annual income. It is anticipated the increase revenue will be less than \$2,000.

RISK IMPLICATIONS

- **Assets & Property Infrastructure**
The Street Trading By-law and associated Street Trading Policy enables Council to control and regulate street trading on its public streets through the regulation of street trading in a uniform, equitable and safe manner.
- **Legal Compliance**
The Street Trading By-law and associated Street Trading Policy legally enables Council to facilitate a regulated approach to street trading on its public streets, through the issuing of street trading licences and an ability to issue infringement notices for breaches of the by-law.
- **Reputation**
Council is at risk from negative feedback from business that currently street trade in the road reserve outside their business that have not previously been required to obtain a street trading license.
- **Insurance/Liability**
By allowing street trading to occur in the municipality without a street trading licence Council is in breach of the Street Trading By-Law.

ATTACHMENTS

1. Street Trading Policy [**5.4.1** - 6 pages]

5.5 STRATEGIC ASSET MANAGEMENT PLAN

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

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

That Council adopt the Long-term Strategic Asset Management Plan 2021-2031 included as an attachment to this report.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 2.3.1 Develop and maintain long term Strategic Asset Management Plans

SUMMARY

This report presents an update to Council's Asset Management Strategy for consideration and adoption.

BACKGROUND

Devonport City Council's asset management practice has been developing for many years, and as with many Local Government organisations has been historically focussed on infrastructure assets, and the technical and financial management of these major classes.

The organisation is now progressing to a more competent, foundational level of practice, and a more structured approach to improvement actions is now required to guide the consistent delivery across all of Council's asset management activities.

STATUTORY REQUIREMENTS

The requirements for Council to adopt a long-term strategic asset management plan, an asset management policy and an asset management strategy are prescribed in sections 70B, 70C and 70D of the *Local Government Act 1993 (Tas)*.

The minimum content of these documents is detailed in the *Local Government (Content of Plans and Strategies) Order 2014*. This order sets out the specific matters to be addressed by Council, and this Strategy has been developed in accordance with these requirements.

Council's *Asset Management Policy* (2021), this Long-term Strategic Asset Management Plan (incorporating our Asset Management Strategy) satisfies these legislative requirements.

DISCUSSION

On behalf of the community, Devonport City Council owns and operates a large portfolio of assets that underpins the unique character of the City, and quality of life. Council's asset register contains more than 31,000 items, with a total replacement value of \$674.6M.

The Long-Term Strategic Asset Management Plan (the Strategy) provides a link between the strategic objectives of Council, asset management practices within the organisation, and the financial resources attributed to asset management activities from the Financial Management Strategy.

The Strategy summarises the activities and expenditures proposed for the next 10-years at a whole-of-portfolio level. The 10-year expenditure forecasts contained in the Plan identify:

- Asset renewal activity totalling \$86.6M
- New and upgraded asset investment of \$42.2M
- Depreciation expense of \$106.3M

The Strategy includes an overview of the condition of Council's assets from a renewal funding perspective, at a whole-of-portfolio level. Over the life of the Strategy, analysis of the asset renewal and lifecycle funding as allocated in the Financial Management Strategy demonstrates acceptable and sustainable outcomes over the life of the Strategy. Beyond the detailed 5-year capital works planning period, the Strategy identifies additional capacity to increase renewal or new asset investment activity. However, additional asset investment analysis will be required to ensure these future investment decisions maintain appropriate levels of affordability for the community over the long term.

The Strategy includes an assessment of the current asset management maturity within Council against established benchmarks, and an improvement plan identifying prioritised actions to be undertaken to further enhance our asset management practices over the coming years.

COMMUNITY ENGAGEMENT

No specific community engagement has been undertaken in relation to this report.

FINANCIAL IMPLICATIONS

The financial implications associated with this report are outlined in the attached Strategy document. In general terms, the forecast asset renewal, new asset investment, and operational and maintenance expenditure accord with the projects contained within Council's Financial Management Strategy.

RISK IMPLICATIONS

- Asset & Property Infrastructure
The Strategy is the principal document to guide asset management practice within the organisation and provides the link between long-term organisational planning and objectives, and the detailed planning and analysis contained within individual asset-class plans.

CONCLUSION

That Council adopt the Long-term Strategic Asset Management Plan.

ATTACHMENTS

1. Strategic Asset Management Plan 2021-2031 [**5.5.1** - 32 pages]

5.6 50+ YEAR RATEPAYER PARKING CONCESSION

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

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

Option 1

That Council:

1. provide a parking concession to residential ratepayers who have been paying rates for 50 or more years for a trial period of 12 months, from 1 January 2022; and
2. note the requirement of ratepayers to demonstrate eligibility.

or

Option 2

That Council, having workshopped the matter

1. note the challenges in securing eligibility records; and
2. determine not to make any changes to the current parking permit concessions.

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 |
| Strategy 5.4.3 | Manage customer requests and complaints with a view to continual improvement of service delivery |

SUMMARY

Three notices of motion were passed at the 2021 Annual General Meeting held on 8 November 2021 relating to the inclusion of ratepayers of 50+ years into the parking concessions offered to aged, disability and service pensioners. At its November meeting Council resolved to consider the motions at a workshop which was subsequently held on 13 December 2021. The matter is now presented again for Council's consideration.

BACKGROUND

Council has provided a parking permit to pensioners in the Devonport municipality for more than a decade. The pensioners entitled to receive this benefit, as per a Council resolution in January 2011, include aged, disability and service pensioners of which nearly 3000 are receiving this benefit.

A notice of motion was passed at the AGM held on 9 November 2020, requesting that Council consider providing all ratepayers of 50 years or more with parking vouchers as provided to pensioners.

Council held a workshop on 8 February 2021 and reviewed the history of the parking concession that has been offered to aged, disability and service pensioners since January 2011, and discussed the inclusion of ratepayers of 50 years or more.

A report was presented to Council at the 22 February 2021 meeting and Council resolved (Ref. Min. 21/29) as follows:

"That Council does not include ratepayers of 50 or more years into the parking concession, which is offered to aged, disability and service pensioners."

Three notices of motion were passed at the 2021 Annual General Meeting held on 8 November 2021 relating to the inclusion of ratepayers of 50+ years into the parking concessions offered to aged, disability and service pensioners. The notices of motion follow:

- 1. That we the electors and ratepayers here present express our extreme disappointment in the Mayor and those councillors who voted, at the DCC Ordinary meeting of 22nd February, to reject the request as per the notice of motion as passed by a majority of electors at the DCC 2020 Annual General meeting being "That Council at the next meeting, consider providing all ratepayers of 50 years or more with parking vouchers as provided to pensioners."*

The motion was carried with a majority of 15/8.

- 2. That the electors here present request that Council rescind resolution number 21/29 passed at the 22nd February 2021, being Agenda item 5.2 - "That Council does not include ratepayers of 50 years or more into the parking concession, which is offered to aged, disability and service pensioners."*

The motion was carried with a majority of 14/5.

- 3. That the electors here present request Council to include ratepayers of 50 years or more into the parking concession, which is offered to aged, disability and service pensioners*

The motion passed with a majority of 18/9.

The motions were presented to Council, in a report, at the 22 November 2021 Council meeting and Council determined (Ref Min. 21/242):

"That Council:

- 1. note the three motions passed at Council's Annual General Meeting relating to the inclusion of ratepayers of 50+ years into the parking concessions currently offered to aged, disability and service pensioners;*
- 2. convene a workshop to discuss consideration being given to a 12-month trial period for the concession sought;*
- 3. noting the inability to verify 50 years of paying rates, that any policy developed for this concession requires the applicant to demonstrate eligibility; and*
- 4. a further report on the matter be presented to Council following the workshop"*

STATUTORY REQUIREMENTS

There are no statutory requirements that pertain to this report.

DISCUSSION

Council discussed, at a Workshop on 13 December 2021, the inclusion of ratepayers of 50 years or more into the parking concession program that is provided to aged, disability and service pensioners.

There were several considerations as it pertains to the inclusion of ratepayers of 50 years or more:

- If a ratepayer of 50 or more years does not currently qualify for a pensioner parking permit, then they are not an aged, disability or service pensioner. They may fit into the

category of a self-funded retiree or a pension type that is not included within the categories previously listed.

- Currently, pensioners provide the following to confirm eligibility to receive the parking concession, which is renewed each year in May.
 - Complete an application form, yearly, and provide the following evidence:
 - Aged, Service or Disability Pension Card.
 - Proof of car registered in applicant's name.
 - Proof of residence in the Devonport municipality.
 - The electronic permit expires in May of each year.
- 50+ year ratepayers will need to provide the following to confirm eligibility to receive the parking concession.
 - Complete an application form, yearly, and provide the following evidence:
 - Proof of car registered in applicant's name.
 - Proof of residence in the Devonport municipality.
 - Must have paid rates on a residential property for 50+ years. The following documentation will only need to be provided once if the application is successful:
 - Rates notice / Receipts; and/or
 - Purchase documentation or sale documentation with dates; and/or
 - Print out from Land Titles Office.

Noting the inability of Council to provide records that confirm 50+ years of rate payments in Devonport, the requirement to prove eligibility will be the responsibility of the ratepayer.

Given the level of detail required to confirm eligibility, the following process will be followed by Customer Service upon the submission of an application.

- Application form to be completed and evidence collated by Customer Service.
- Evidence assessed and verified where possible.
- Applicant phoned to advise electronic permit has been activated or letter written explaining evidence does not meet guidelines.

COMMUNITY ENGAGEMENT

This report is being provided in response to a motion passed at Council's 2021 Annual General Meeting.

FINANCIAL IMPLICATIONS

Adding ratepayers that have paid for 50 or more years to the parking concession would have some financial impact on parking revenue, but the impact is unknown as Council is not required to keep records that would confirm eligibility for more than seven years. The number of applicants that will be able to prove eligibility is not anticipated to be significant.

The inclusion of 50 year plus ratepayers is likely to lead to requests from additional demographic groups that would like to be provided with parking concessions, potentially at considerable expense to Council. Parking income supports the provision of many community services and facilities which would require alternative funding streams if parking revenue was further eroded.

RISK IMPLICATIONS

The Land Titles Office makes records available for property searches through to June 1982.

In order to search for property records prior to June 1982, a ratepayer will need to pay the Land Titles Office a record search fee of \$33 for every property they need to search.

The Land Titles Office noted that some searches will be a challenge due to address changes over the years. As they can only search on property address and the ratepayer may not know the new address, the search will not be able to be conducted. They also noted that they will not always have records on properties going back 50 years or more. A ratepayer who pays the \$33 search fee to the Land Titles Office may be told that there are no records available after the search is concluded.

There is a high risk that those ratepayers will be frustrated with the level of effort required to prove eligibility. There will be very few ratepayers that will be able to secure the necessary records to prove eligibility.

CONCLUSION

Council has considered the option to trial the inclusion of ratepayers that have paid for 50 or more years into the parking concession that is offered to aged, disability and service pensioners. The approach to managing the application process has been outlined in this report.

Council is not required to keep records relating to payment of rates as noted by the Office of the State Archivist. As a result, the requirement to prove eligibility to receive the parking concession will be the responsibility of the ratepayer. Proving eligibility will be very difficult for those that apply for the 50+ year rate payer parking concession and is likely to lead to many disappointed applicants.

ATTACHMENTS

Nil

5.7 ACCESS AND INCLUSION WORKING GROUP

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

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

RECOMMENDATION

That Council appoint the following persons to the Access and Inclusion Working Group:

Four (4) Devonport residents with disability or their immediate carer/support person -

- Megan Krawczyk
- Naomi Ralph
- Tammy Milne
- Donna Russell

Four (4) members of recognised advocacy organisations representing Devonport residents:

- Jodi Prentice – Visibility
- Stacey Jackson - Down Syndrome Tasmania
- Penelope Rainbow - NW Therapy Services
- Andrew Moore – AP Horizon

Council representatives:

Mayor Annette Rockliff and Cr Alison Jarman

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.4 Ensure effective administration and operation of Council's committees

SUMMARY

To confirm membership of the Access and Inclusion Working Group.

BACKGROUND

At its meeting held on 24 September 2021, Council determined:

That Council:

- adopt the Terms of Reference for the Devonport Regional Gallery Advisory Committee, Public Art Committee and Access and Inclusion Working Group;*
- call for expressions of interest in accordance with the Terms of Reference for each Committee.*

Expressions of Interest (EOI) were sought for the Groups via Council's website, social media, and a media release.

At its meeting held on 22 November 2021, Council appointed members to the Devonport Regional Gallery Advisory Committee and the Public Art Committee. It also agreed to seek to fill the remaining four positions on the Access and Inclusion Working Group through a targeted extension to the EOI period, closing on Monday 6 December.

STATUTORY REQUIREMENTS

Section 23 and 24 of the *Local Government Act 1993* outlines the statutory requirements relating to the appointment and functions of Committees as follows:

24. Special Committees

- (1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) The council is to determine the procedures relating to meetings of a special committee.*

DISCUSSION

The following EOs were received for the Access and Inclusion Working Group (8 positions available):

Four nominations received after the first Expression of Interest period:

Megan Krawczyk – Community Member

Naomi Ralph – Community Member

Jodi Prentice – Visibility

Stacey Jackson – Down Syndrome Tasmania

The following nominations were received after extending the nomination period:

Tammy Milne – Community Member

Leanne Wease – Mission Australia

Andrew Moore – A.P Horizon

Penelope Rainbow – North West Therapy Services

Richard Hamon – Community Member

Craig Russell – Community Member

Donna Russell – Community Member

Ken Ewington – Community Member

Allison Dooley – Community Member

The Terms of Reference for the Access and Inclusion Working Group specifies two Councillors be appointed to the Committee. Mayor Annette Rockliff and Deputy Mayor Alison Jarman have nominated for the two positions.

The EOs were assessed, and proposed members are included in the recommendation of this report.

COMMUNITY ENGAGEMENT

The calling for expressions of interest for vacancies for the Committee was advertised as follows:

- Council website
- Media Release 6 October
- Council Facebook Page 6 October
- The Advocate Newspaper article 8 October
- The Advocate Facebook Page 8 October
- Targeted emails to businesses and Community Members 24-25 November
- Media Release 25 November
- Council Facebook 29 November
- Council Facebook 3 December
- Community newsletter

FINANCIAL IMPLICATIONS

There is no financial impact as a result of this report. Administrative costs in relation to the coordination and facilitation of meetings are absorbed into Council's operational budget.

RISK IMPLICATIONS

Workplace Health and Safety

To minimise any potential workplace health and safety risks, all endorsed members will complete Council's volunteer induction to ensure they understand their obligations under the *Workplace Health and Safety Act 2012*.

Consultation and/or Communication

Special Interest and Working Groups assist in providing a mechanism by which Council can communicate effectively on special interest matters.

CONCLUSION

The Access and Inclusion Working Group received sufficient, qualified nominations to proceed.

ATTACHMENTS

Nil

5.8 SPREYTON SCOUTS ASSOCIATION - REQUEST FOR LAND

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

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

RECOMMENDATION

That Council provide in principle support to the provision of land to the 1st Spreyton Scout Group at Maidstone Park subject to:

1. the construction of a Scouts Hall and associated infrastructure costs be borne by the Scout Group, including any investigations regarding suitability of land;
2. Council's approval of the proposed building design prior to lodgement for statutory approvals; and
3. Council's support lapsing in three years should funding not be sourced by the 1st Spreyton Scout Group.

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

To consider a request from the 1st Spreyton Scout Group ('Scouts') to provide land at Maidstone Park to build a Scouts Hall.

BACKGROUND

Council has been approached by 1st Spreyton Scouts Group Leader Jan Tuxworth, via Maidstone Park Controlling Authority, for assistance in securing land for a new Scouts Hall.

The Scouts are currently based out of the Spreyton Scout Hall at 96 Mersey Main Road, Spreyton, which is owned by the Scout Association of Australia, Tasmania Branch. However, under the National Redress Scheme associated with the Royal Commission into institutionalised child sexual abuse, the Association is now required to sell the Spreyton property, along with others identified within Tasmania, to provide funds to the Redress Scheme. A letter is attached from Mrs Tuxworth setting out further details and the need to find an alternative venue for the Scouts to undertake their activities.

STATUTORY REQUIREMENTS

Any proposed use of land at Maidstone Park will be subject to planning and regulatory requirements.

DISCUSSION

Advice from representatives of the Scout Group is that once an appropriate piece of land has been identified, and approval in principle provided, they will commence the process of sourcing external funds to build the facility. Concept plans are attached.

The Scouts have identified a parcel of land next to the Maidstone Caretaker's Cottage (opposite Devonport Lapidary Club) which they believe would be suitable for their clubroom/activities. They propose that the car park behind the cottage could be used and thus ensure that Bay Drive does not become congested. A path could be constructed from the car park to the proposed facility.



Following a meeting with Maidstone Park Controlling Authority Executive and representatives of the Scouts, follow up discussions were held with relevant Council officers to consider planning, building and regulatory requirements as well as traffic management and car parking considerations.

COMMUNITY ENGAGEMENT

There has been no community engagement as a result of this report. Consultation has been undertaken with the Maidstone Park Controlling Authority Executive who support the concept.

FINANCIAL IMPLICATIONS

The Scouts Association has confirmed that once land has been confirmed, they will seek external funding to build the new facility and all associated costs relating thereto.

RISK IMPLICATIONS

Asset & Property Infrastructure

There is a risk that the land will be unsuitable for construction of a building, given ground conditions in the area however responsibility for investigation as to its suitability will lie with the Scouts.

CONCLUSION

Any provision of land to the Scouts would be subject to planning requirements and regulatory legislation. If Council does not support the land proposed by the Scouts, an alternative resolution could be that Council Officers continue to work with the 1st Spreyton Scouts Group to identify other parcels of land that may be more suitable.

ATTACHMENTS

1. Letter from Scout Association [5.8.1 - 2 pages]
2. Plans Scout Association [5.8.2 - 5 pages]

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

RECOMMENDATION

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

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

Date	Description	Purpose
13 December 2021	Cradle Coast Authority	Update on operations and projects
	Access & Inclusion Working Group	Presentation of nominees for working group
	50 Year Rate Payer Parking Permit	Discussion around 12 Month Trial Period
	Chianna Investments	Presentation to Councillors
	Devonfield	Update to Councillors
	Devonport Oval/Byard Park User Group Committee	Presentation regarding the Sports Infrastructure Master Plan
	2022 Meeting Schedule	Proposed 2022 Workshop Dates

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 17 November and 14 December 2021:

- Council meetings and workshop
- 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: Leon Compton (ABC Radio), Lee Dixon (7AD), The Advocate, Darren Kerwin (7AD), Mike O'Loughlin (Tasmania Talks)
- Visited SPACE Education Centre
- With fellow councillors, visited the new hotel site and received an update from Fairbrother staff
- Attended exhibition opening at the paranapple arts centre
- Attended the Devonport Surf Club season launch
- Attended the Home Hill Garden Fete
- Met with Inspector John King from Tasmania Police Devonport
- Welcomed Costas Islander workforce during their orientation programme (x 2)
- Attended screening of the movie Minamata hosted by NW Film Society and Devonport Sister City Association (using a grant from DCC)
- Attended Cradle Coast Authority Board workshop
- With the General Manager, attended Dulverton Waste Management Representatives AGM and General Meeting
- Attended Federal Government funding announcement for Dulverton Waste Management
- Attended Devonport Greyhounds
- Attended state Army Cadets dinner at Devonport RSL
- Attended Walk the Talk domestic violence awareness event
- Attended NW Support School (Devonport campus) end of year event
- Officially opened Joy of Hearing – a new business in Devonport
- Attended Radio 7AD/SeaFM Christmas event

- Attended Mayors' forum
- Attended LGAT General Management Committee meetings (x4)
- Attended Carols by Candlelight
- Attended Volunteers' appreciation breakfast
- Met with Grade 5/6 at Hillcrest Primary
- Attended Cradle Coast Authority Representatives AGM and general meeting
- Attended Maidstone Park Authority meeting
- Attended Christmas lunch with Ageing Stronger Active Longer participants
- Presented prizes/certificates at Indie School end of year event
- Attended Devonport High School end of year presentation night
- Attended Christmas markets
- Attended Devonport Primary School end of year presentation
- Attended Miandetta Primary School end of year presentation
- Attended the East Devonport Working Group

ATTACHMENTS

Nil

6.3 GENERAL MANAGER'S REPORT - DECEMBER 2021

Author: **Matthew Atkins, General Manager**

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands

SUMMARY

This report provides a summary of the activities undertaken by the General Manager, between 17 November and 14 December 2021. It also provides information on matters that may be of interest to Councillors and the community

BACKGROUND

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

STATUTORY REQUIREMENTS

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

DISCUSSION

1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Attended LGAT General Managers workshop in Hobart
- 1.4. Met with Gary Swain, Deputy Secretary of State Growth regarding bus stop signage and general catch up on matters affecting this region.
- 1.5. Met with a representative of the Fragrance Group regarding the opening of the Waterfront Precinct hotel.
- 1.6. With Councillors, undertook a site tour of the Waterfront Precinct hotel.
- 1.7. Attended the Cradle Coast General Managers Group meeting.
- 1.8. Attended the Cradle Coast Waste Management Group meeting.
- 1.9. Met with Council's preferred proponent for 6-10 Steele Street, one of the sites within Council's expression of interest process for selected CBD development.
- 1.10. Attended Council's Audit Panel meeting at Central Coast Council.
- 1.11. Met with Simon Want in relation to the proposed rezoning of the Devonport Showgrounds site.

1.12. With the Deputy Mayor, attended the media launch of the concept plans for the redevelopment of the eastern port, Quaylink.

1.13. Attended JLT local government vulnerability workshop.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

2.1. Attended the community drop-in session organised by Cr Enniss.

2.2. Attended the 7AD & Sea FM client Christmas event at Frankie J's.

2.3. Assisted with serving a community breakfast for volunteers in Market Square.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

3.1. As Tasmanian Director attended a National Board meeting of Local Government Professionals.

3.2. Attended the Dulverton Waste management Authority (DWM) Annual General Meeting (AGM) and Representatives Meeting. At the AGM, Cr Mike McLaren was re-elected as Chief Representative and Central Coast General Manager, Sandra Ayton elected Deputy Chief Representative. A copy of the DWM Annual Report has previously been circulated to Councillors.

3.3. Attended the Annual General Meeting and Representatives meeting of the Cradle Coast Authority.

3.4. Attended the State Board meeting of Local Government Professionals followed by a meeting with the Local Government Minister Hon. Roger Jaensch MP.

3.5. As part of the Local Government Professional Cradle Coast branch attended a tour of the new Utas campus in Burnie.

3.6. With the Mayor, attended the LGAT General Meeting in Hobart.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

4.1. Nil

5. OTHER

5.1. The Cradle Coast Waste Management Group recently released their annual report outlining activities undertaken during the last financial year. The initiatives undertaken by the Group are funded from a \$5/t voluntary waste levy. A copy of the annual report is attached for information.

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. 5592 CCWMG AR 20-21 - final - high res [**6.3.1** - 32 pages]
2. Current and Previous Minutes Resolutions - December 2021 [**6.3.2** - 1 page]

6.4 INFRASTRUCTURE AND WORKS REPORT

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

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

RECOMMENDATION

That Council receive and note the Infrastructure and Works report and endorse the following allocation of external grant funding to projects within the 2021-22 capital works program:

- a) \$8,455 for the Waste Transfer Station fence project;
- b) \$70,000 for the Little Athletics shed project;
- c) \$25,857 for the Maidstone Park netting project.

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 October and November 2021.

BACKGROUND

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

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

STATUTORY REQUIREMENTS

There are no statutory requirements relevant to this report.

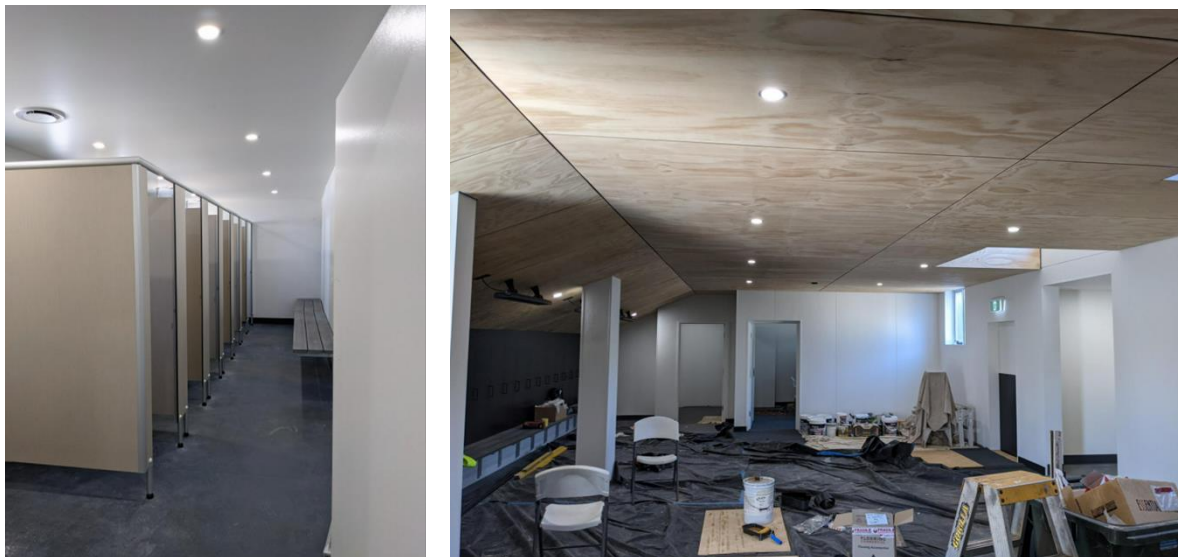
DISCUSSION

1. Capital Works Program

- 1.1. Work is continuing on projects listed in the 2021-22 Capital Works Program. The experience from progress to date is that the building and civil construction industries are close to saturation and largely unable to take on new work to be delivered in the short term. This appears to be a result of residential building subsidies, stimulus funding packages and material supply chain disruptions. The impact of this is that projects will be delivered later than originally intended, with many to be constructed in 2022-23, which will have a knock-on effect for projects funded in that year.
- 1.2. Work is underway on the River Road section of the Coastal Pathway with a new path being constructed between Bayview Avenue and Ambleside Place. Completion of this section is expected in January 2022.



- 1.3. The upgrade of the Devonport Oval change rooms is progressing with the home team change rooms nearly complete and being prepared for use by competitors at the annual carnival. Work on the away team changes rooms is underway with completion expected in February 2022.



- 1.4. Devonport City Council's public recycling service has commenced with the installation of 17 bins in the CBD, Victoria Parade, Mersey Bluff, Fourways and Valley Road.



- 1.5. The critical issues with the Splash HVAC system have now been addressed by replacing one of the intake and exhaust fan units (PAC 2). Although the PAC 1 unit requires replacement early in 2022-23, the system is now operational and includes some redundancy, ensuring the ongoing operation of this part of the facility.
- 1.6. The Coastal Pathway between Don and Leith is progressing, with the new Don River Bridge to be completed in December.



- 1.7. The renewal of the Victoria Parade car park, between the Cenotaph and Aikenhead point is underway and expected to be completed in December.



1.8. Outdoor seating at the Spreyton Netball centre has been renewed



- 1.9. The asphalt reseal work package has commenced with a section of Don Road resealed during November.
- 1.10. Council have secured a grant for \$8,455 from the Cradle Coast Waste Management Group as a contribution to new fence at the Spreyton Waste Transfer Station partly funded in the 2021-22 Capital Works Program. The fence will improve security and will assist in reducing litter entering the nearby waterway. It also separates the WTS from the planned alignment of the Spreyton-Quoiba path link.
- 1.11. Council has been allocated \$1,013,466 in the Phase 3 of the Federal Government's Local Roads and Community Infrastructure (LRCI) program. Council is required to nominate eligible project to obtain this funding. Projects are required to be delivered between 1 January 2022 and 30 June 2023.

Council has nominated two projects to date:

- Figure of Eight Creek Pedestrian Bridge: This project is included in the 2021-22 capital works program but required a \$250,000 external funding allocation to match Councils \$250,000 allocation. The LRCI program provides that funding opportunity and allows this project to progress.
- Little Athletic Club storage: This project was supported by Council, but no funding allocation was made in 2021-22. The LRCI program provides an opportunity for Council to deliver this project.

Projects will be nominated for funding from Councils remaining allocation early in 2022.

- 1.12. Council has secured \$25,857 from the State Government Department of Communities' Improving the Playing Field Grant Program 2021-22 for installation

of netting at the northern end of Maidstone Park Ground Number 1. This netting will prevent balls being kicked on to the nearby Bay Drive during training and games and reduce the risk of spectators retrieving the balls from the road. This project will be included as a new project in Council's 2021-22 Capital Works Program.

1.13. Work to commence in December and January includes:

- parapet arts centre solar panel installation
- Lighting to dog exercise area – Steele Street
- Waste Transfer Station fence
- Kelcey Tier Road pit upgrades
- Horsehead Creek toilet block

2. Management

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

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

Planning is underway to ensure continuity of service delivery and the safety of the workforce once State borders reopen on December 15th.

2.2. Council's Technical Support Team and Belgravia have been monitoring tile failures in the 25m indoor pool at Splash. At this time, it is proposed to implement a temporary solution to maintain the operation of this pool while further investigation and planning occurs. This means a likely permanent resolution would occur in summer 2022-23 when the outdoor pool is open.

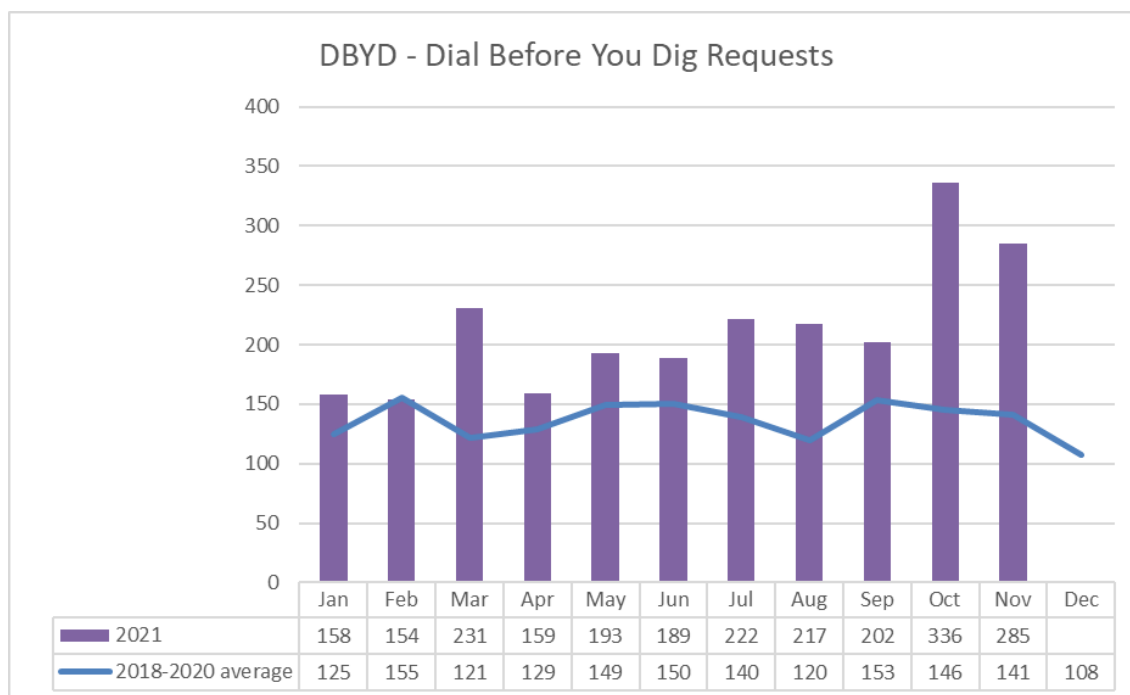
2.3. Work is well progressed on a draft revision of Council's Road Network Strategy. It is anticipated a version will be available for public consultation in early 2022.

2.4. Work has commenced on a review of Council's Public Open Space Strategy. Public consultation is likely to occur in mid 2022.

2.5. Council's Engineering Team is working with TasPorts on the traffic and stormwater components of the Quaylink project. This project interfaces with Council's State Vehicle Entry Project and so close cooperation is required.

3. Assessments and Approvals

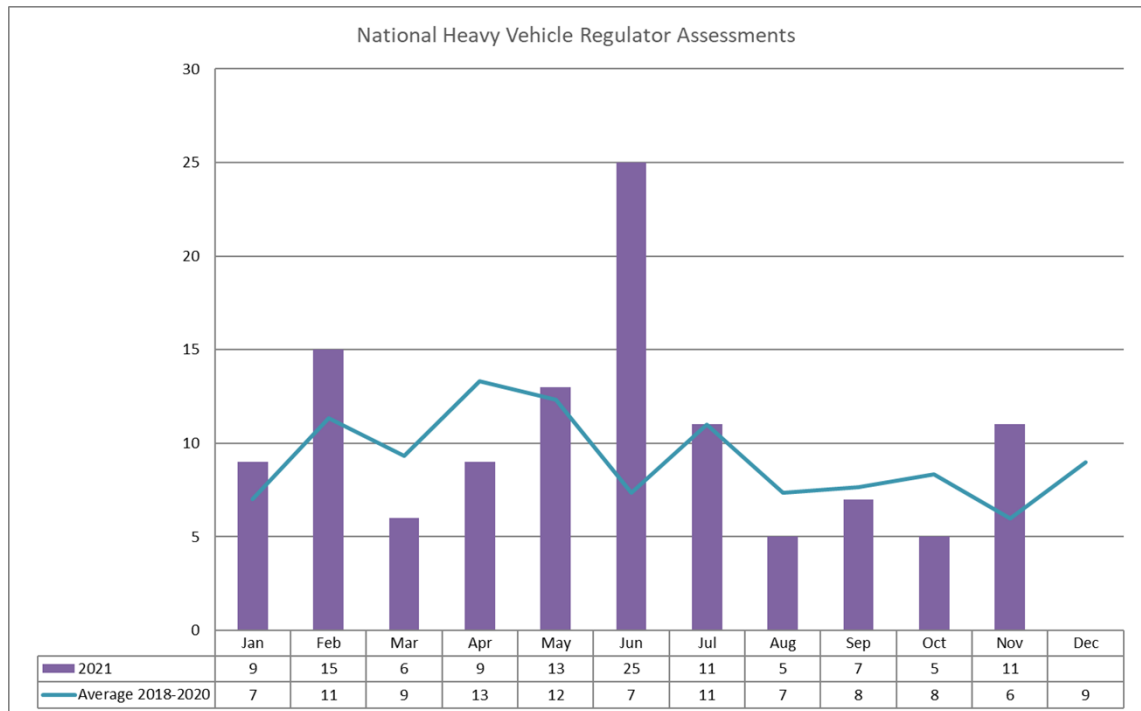
- 3.1. The following graph details the Dial Before You Dig Requests that have been assessed by the Infrastructure and Works Department this year compared to previous years:



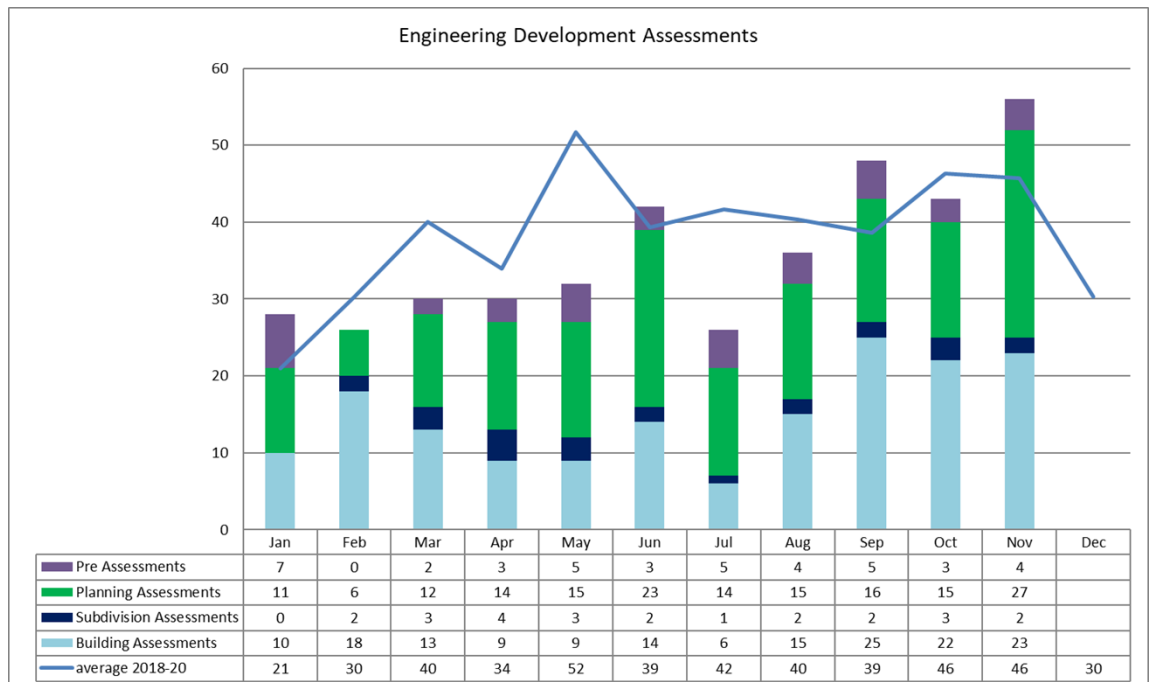
- 3.2. The following is a summary of the projects capitalised in the period since the last report:

Number of projects capitalised in period	10
Total value of capitalisations in period	\$1.59M
Total value of Works in Progress (WIP) as at 30 November	\$19.54M
Donated Asset Capitalised (Subdivisions) in period	0
Number of projects awaiting capitalisation next period	27

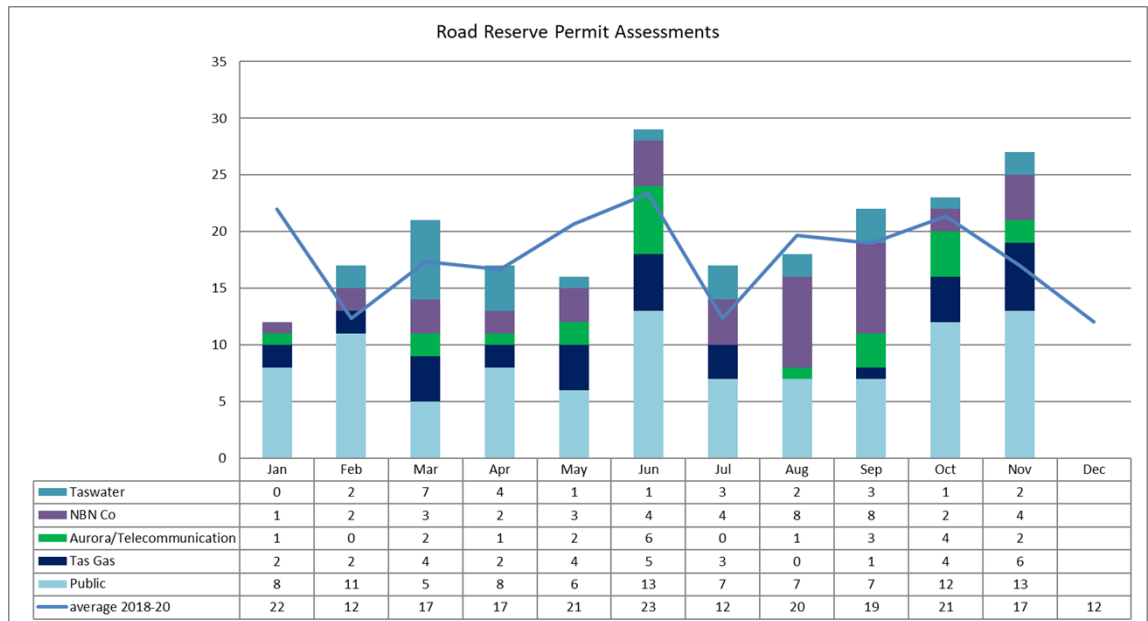
3.3. The following graph details the National Heavy Vehicle Regulator Assessments that have been issued this year compared to previous years:



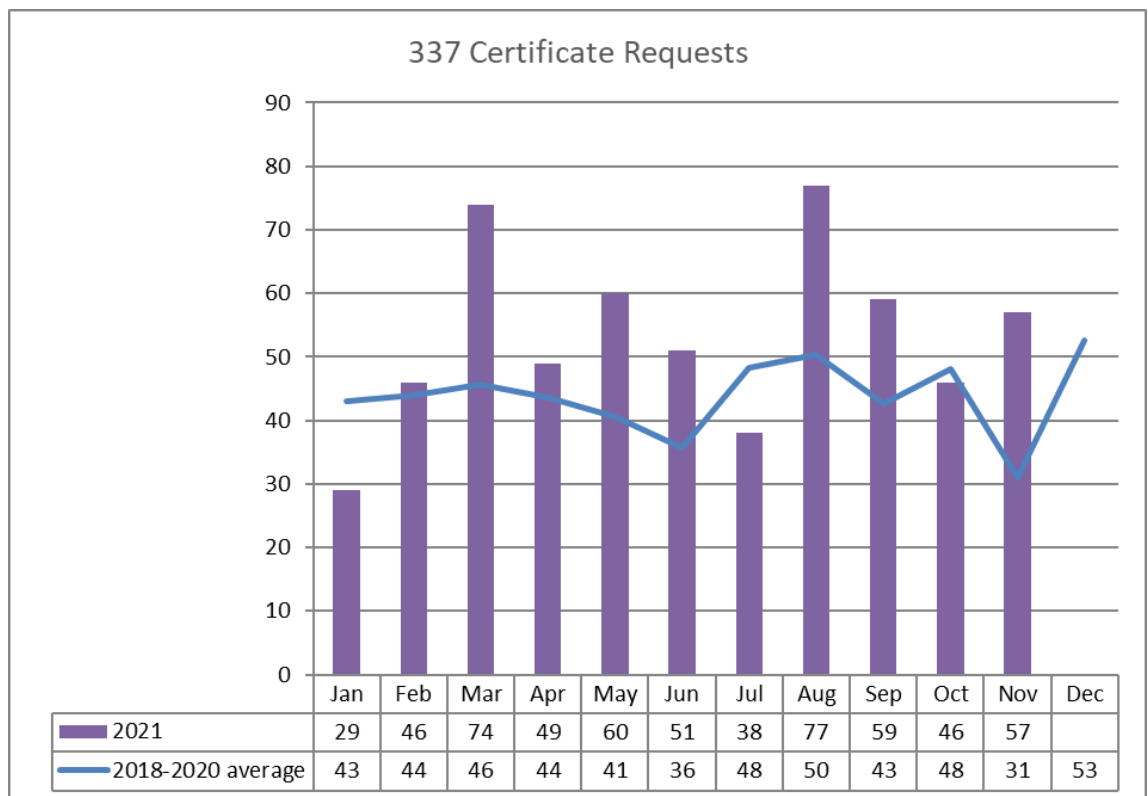
3.4. The following graph details the Engineering Assessments for Development Applications that were completed this year compared to previous years.



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



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



4. Operational Contracts

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

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
None this period.				

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

Contract	Contract Period	Extension Options	\$ Value (Excluding GST)	Contractor
None this period.				

5. Civil Works and Stormwater Maintenance

5.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:

- Patching of Coles Beach car park
- Stormwater repairs in Toorak Place
- Sign maintenance and replacement
- Line marking of Meercroft Park car park



5.2. In December and January, planned civil works and stormwater maintenance works will include:

- Footpath repairs in Berrigan Road and Adam Street
- Pipe repairs on Mersey Main Road
- Various road patches

6. Parks and Reserves Maintenance

6.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:

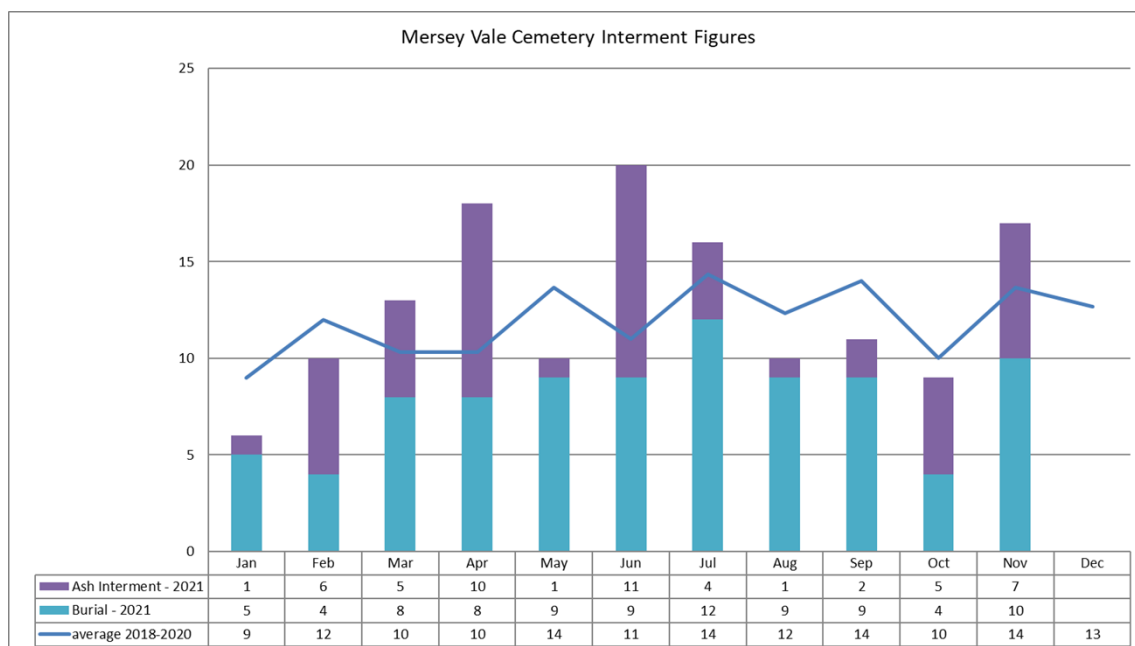
- Preparation and handover of cricket wicket to Devonport Cricket Club
- Provided support to TTS undertaking a fuel reduction burn in Kelcey Tier
- Installing Christmas decorations
- Mowing, in response to rapid growth
- Responding to a large tree branch that fell on Formby Road



6.2. In December and January planned parks and reserves maintenance works will include:

- Preparation of Devonport Oval for the annual carnival
- Watering of trees and plants planted over the last two years to ensure their survival over summer.
- Clearing of fire breaks in Kelcey Tier and Don Reserve
- Clearing of weeds and debris from 258 and 260 Steele Street (Men's Shed and dog exercise area)

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



7. Building and Facilities Maintenance

7.1. Maintenance in accordance with the Service Level Document, undertaken in October and November included:

- Replacement of cladding to Athletic Club Rooms at Devonport Oval
- Installation of new remote controlled irrigation system at Mersey Vale Memorial Park
- Installation of Christmas Tree in Rooke Street Mall
- Staining of barbeque shelter at Pioneer Park

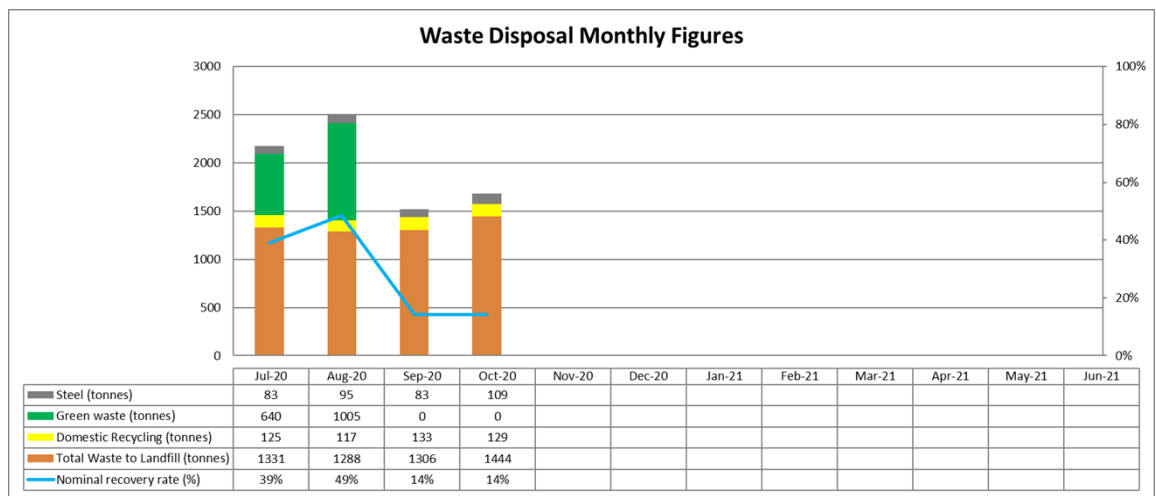


7.2. In December and January, planned building and facilities maintenance works will include:

- Staining and oiling of timber furniture and shelters at Mersey Bluff
- Sand and seal timber floors at Devonport and East Devonport Recreation Centre
- Annual pest control and spraying of Council buildings

8. Waste Management Operations

8.1. Waste Management Services were conducted in accordance with the Service Level Document during October and November. The following graph details the major waste disposal streams from the Spreyton Waste Transfer Station for the year to October, as November data is yet to be finalised.



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

Nil

6.5 DEVELOPMENT AND HEALTH SERVICES REPORT

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

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

RECOMMENDATION

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

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

SUMMARY

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

BACKGROUND

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

The Council functions undertaken by the Department are:

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

STATUTORY REQUIREMENTS

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

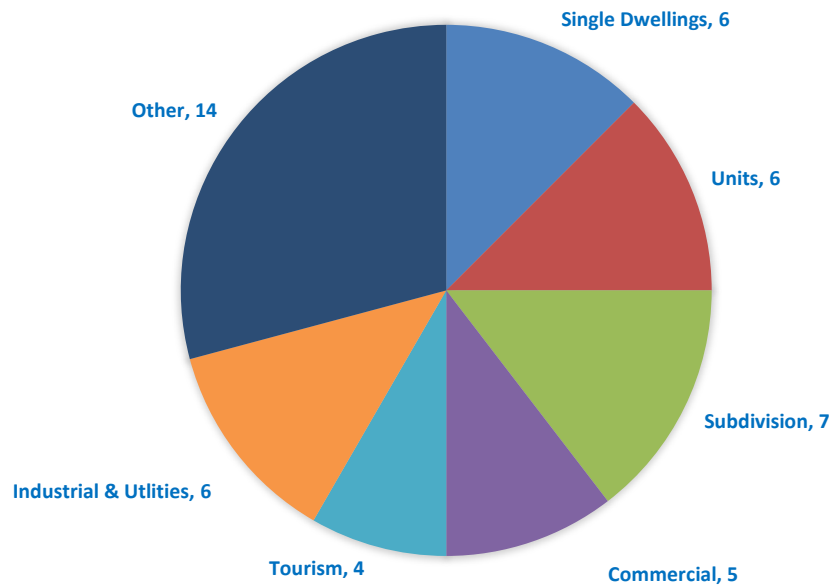
- *Local Government Act 1993*
- *Land Use Planning and Approvals Act 1993*
- *Building Act 2016*
- *Building Regulations 2016*
- *Public Health Act 1997*
- *Food Act 2003*
- *Environmental Management and Pollution Control Act 1994*
- *Dog Control Act 2000*
- *Tasmanian Planning Scheme – Devonport 2020*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

DISCUSSION

1. Planning

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

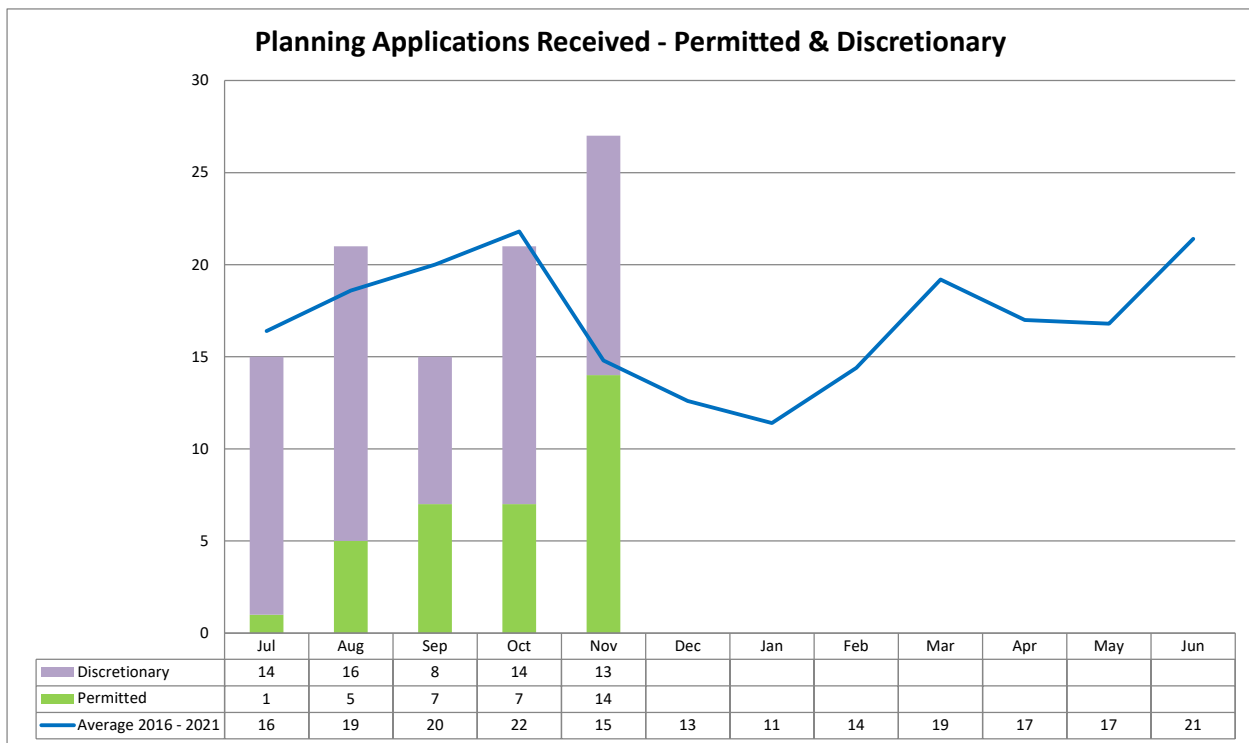
PLANNING APPLICATIONS RECEIVED BI-MONTHLY BREAKDOWN



Note:

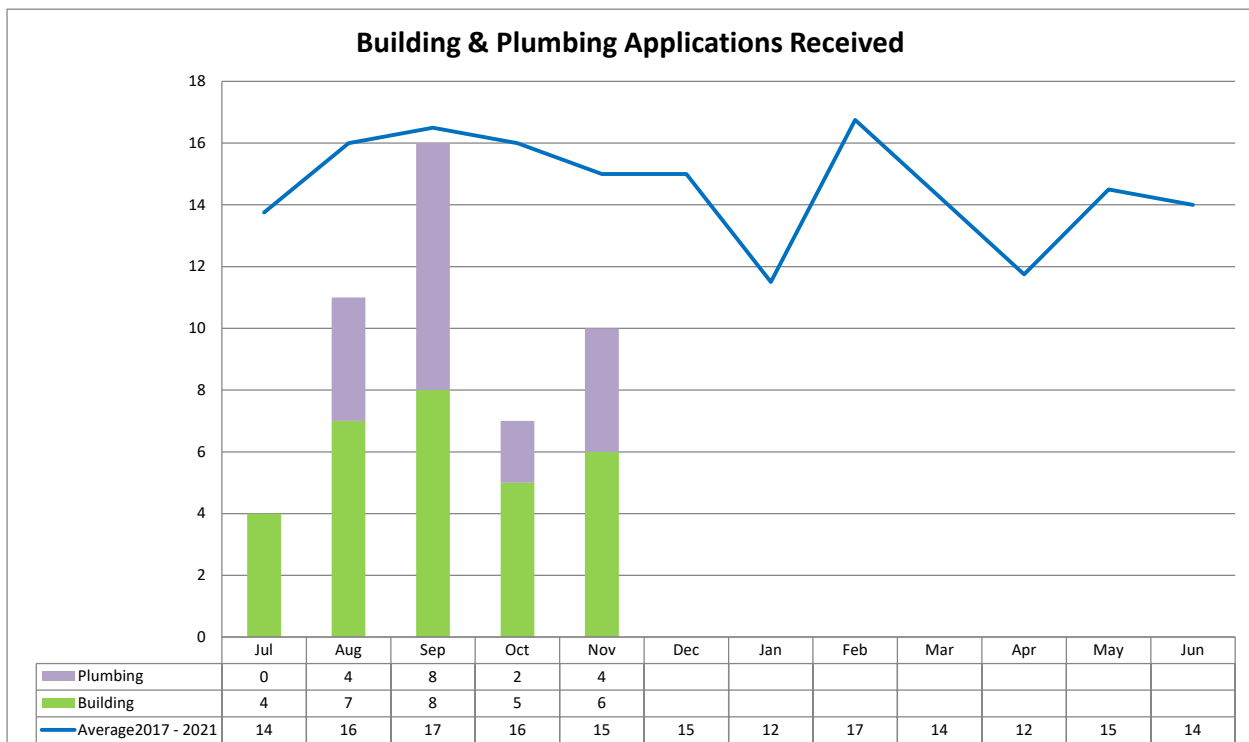
- Single Dwellings – means single residential dwelling on a single lot.
- Units – means two or more dwellings on a site.
- Subdivision – means the division of a single lot into multiple lots giving separate rights of occupation, excluding boundary adjustments.
- Commercial – means bulky goods sales,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

1.2. 27 Discretionary Planning Applications and 21 Permitted Planning Applications were received in October and November. The following graph details the number of Planning Applications received compared to previous years:

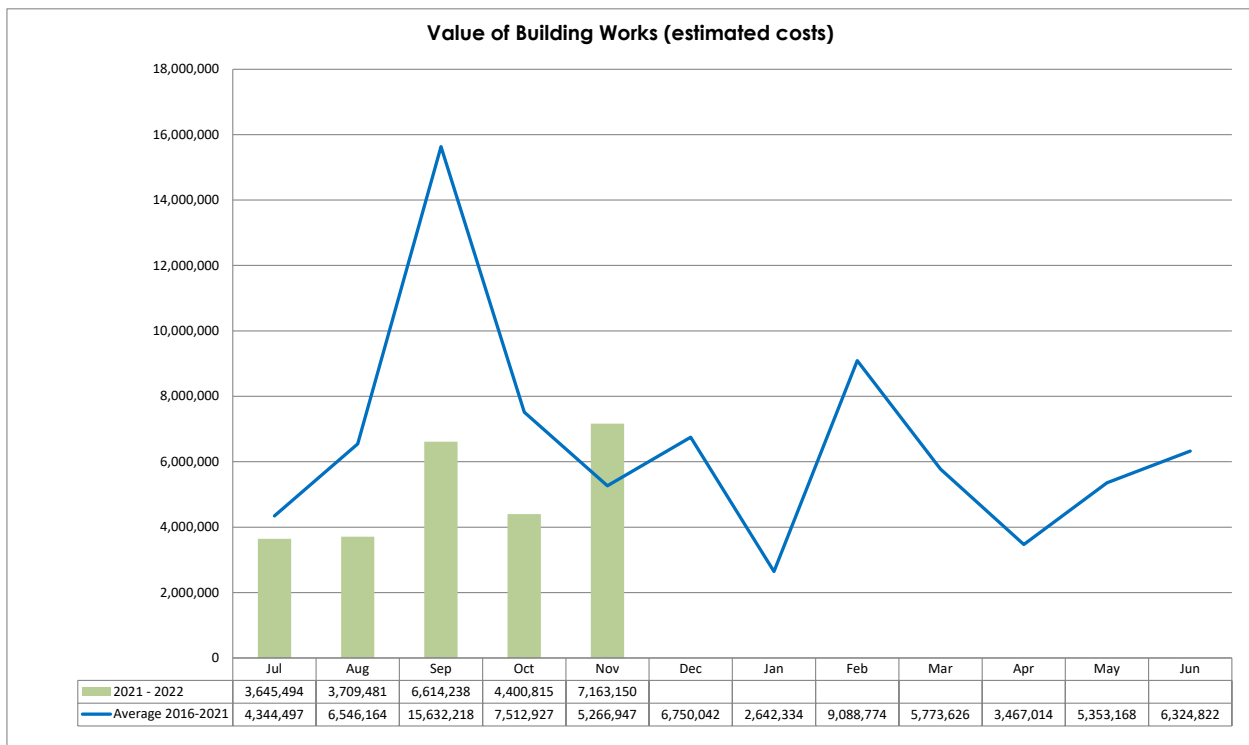


2. Building/Plumbing

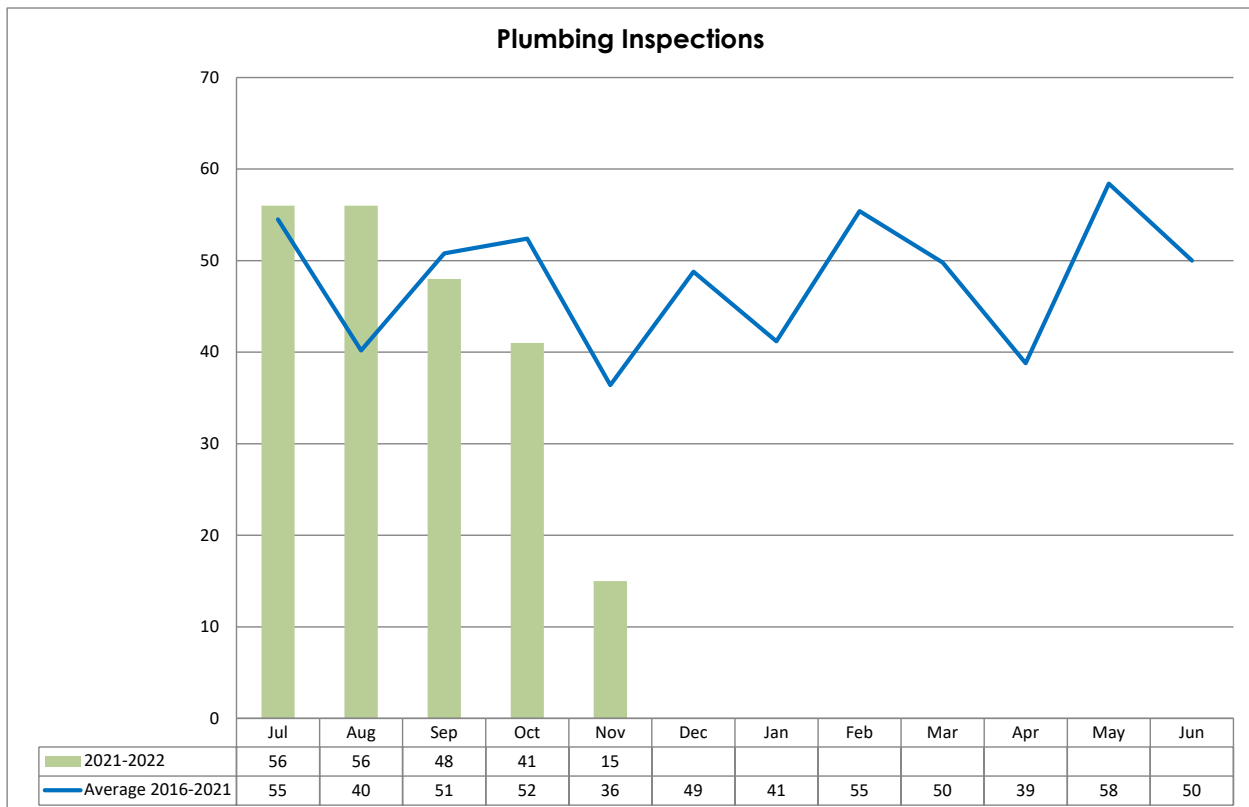
2.1. 11 Building Applications and 6 Plumbing Applications were received in October and November. The following graph details the Building and Plumbing Applications compared to the previous year:



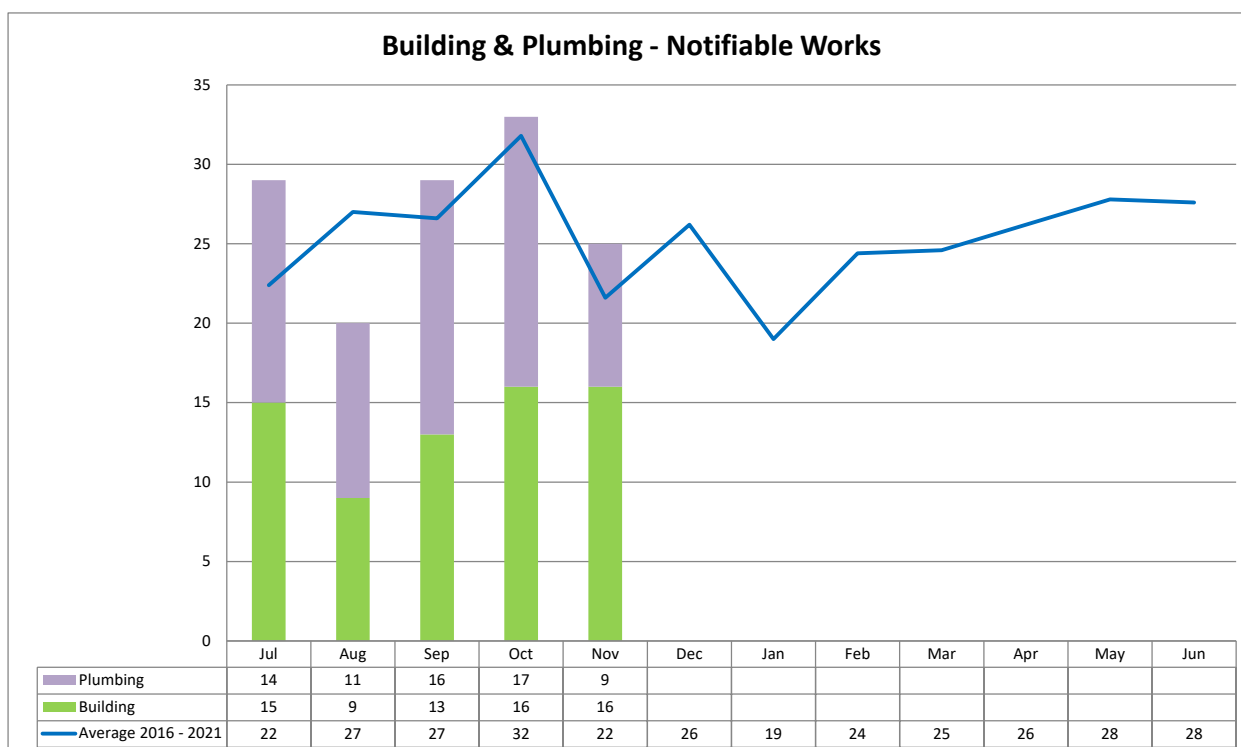
2.2. Building Applications for \$4,400,815 worth of building works were received in October and \$7,163,150 in November. The following graph details the value of building works received compared to previous years:



- 2.3. 41 plumbing inspections were carried out in October and 15 in November. The following graph details the number of plumbing inspections carried out this financial year compared to previous years:

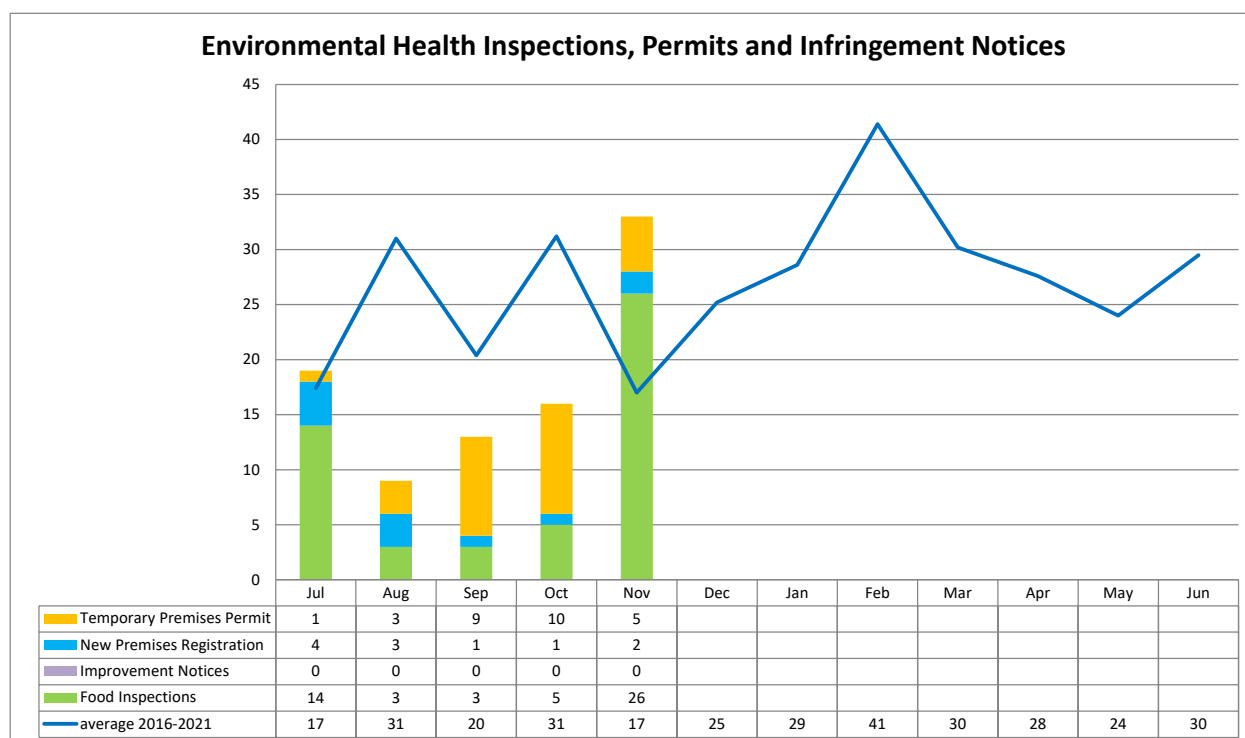


- 2.4. The following graph details the notifiable works received for building and plumbing that have been issued this year compared to previous years:



3. Environmental Health

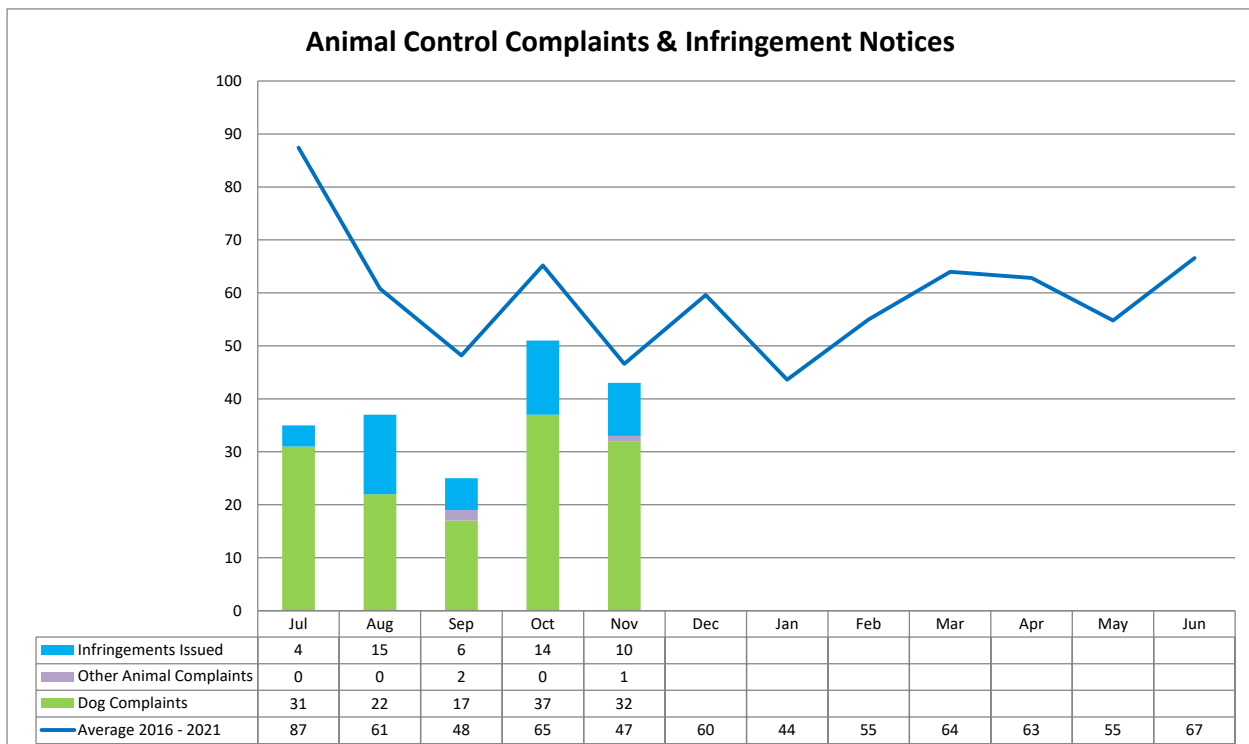
3.1. The following graph details the inspections, permits and infringement notices that have been issued by Environmental Health this year compared to previous years:



4. Animal Control

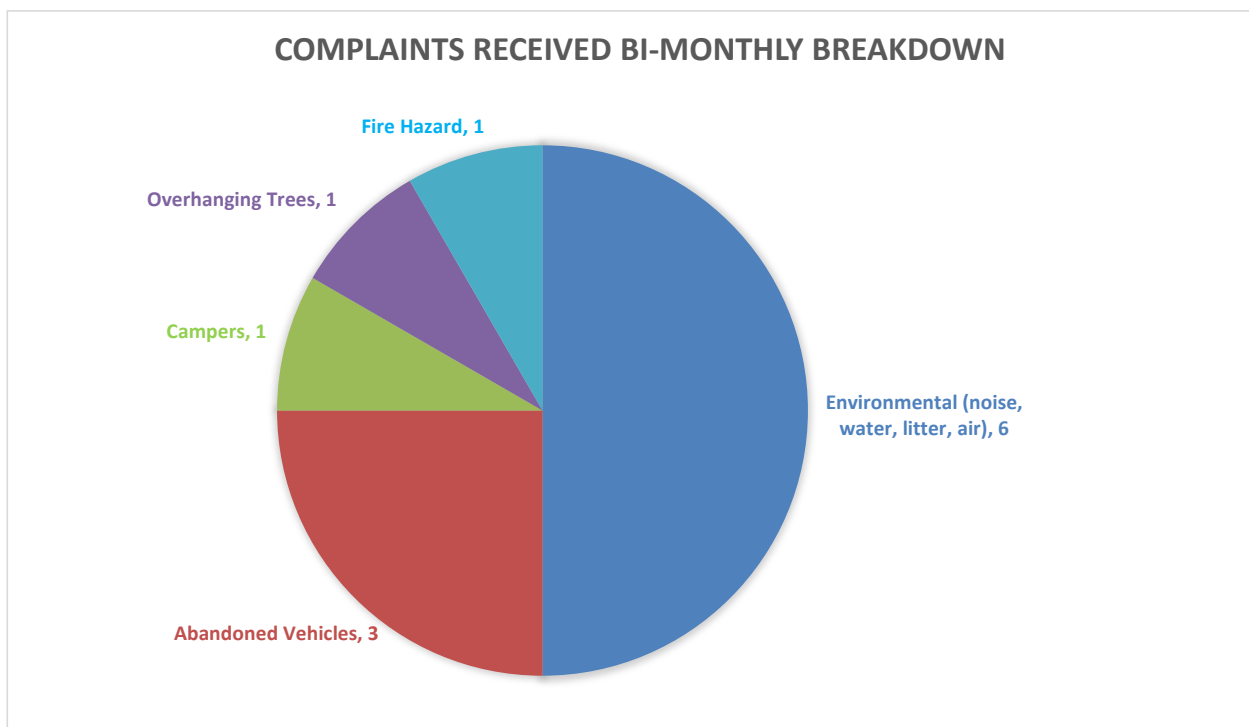
4.1. There are currently 3599 registered dogs. In October and November, a total of 69 animal complaints were received. These complaints predominately related to dogs at large and barking dogs. All complaints were responded to within two working days.

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















5. Risk and Compliance

5.1. The following graph details the breakdown of the complaints received by the Risk Department during October and November:



5.2. 29 incidents were reported during October and November. The following table details the types of incidents:

 Council	20
 Hazard	3
 Motor Vehicle	5
 Personal Injury	5
 Property Damage	6
 Property Theft	1
 Public	9
 General Public	1
 Hazard	2
 Motor Vehicle	1
 Personal Injury	4
 Property Damage	1
	29

5.3. The following details the breakdown of claims costs:

Total costs - \$1000
 Council incidents costs - \$1000
 Public incidents costs - \$0

COMMUNITY ENGAGEMENT

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

FINANCIAL IMPLICATIONS

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

RISK IMPLICATIONS

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

CONCLUSION

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

ATTACHMENTS

Nil

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 – 29 November 2021	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
5.1	Unconfirmed Minutes – Joint Authorities	15(2)(g)
5.2	Australia Day Awards 2022	15(2)(g)

9 CLOSURE