



*The City with Spirit*

## NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport on Monday 26 September 2022, commencing at 5:30 PM.

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

## QUALIFIED PERSONS

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

Matthew Atkins  
GENERAL MANAGER

**21 09 2022**

### October 2022

Meeting	Date	Commencement Time
Annual General Meeting	24 October 2022	5:00pm
Council Meeting	24 October 2022	At the conclusion of the AGM

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

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## ATTENDEES

		<b>Apology</b>
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

An apology for this meeting has been submitted by Cr Alexiou.

## 2 DECLARATIONS OF INTEREST

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## **3 PROCEDURAL**

### **3.1 CONFIRMATION OF MINUTES**

#### **RECOMMENDATION**

That the minutes of the Council meeting held on 22 August 2022 as previously circulated be confirmed.

### **3.2 PUBLIC QUESTION TIME**

#### **PUBLIC QUESTION TIME**

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

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

## **3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS**

Author: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That the responses to questions from Mr Vellacott at the August Council meeting, be noted.

### **ATTACHMENTS**

1. Response to Questions Without Notice - 22 August 2022 - Robert Vellacott [**3.2.1.1** - 2 pages]

## 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

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

#### **Mr Steve Martin - Devonport**

A letter containing questions on notice received from Steve Martin on 15 September 2022 is **reproduced as attachment 1**.

**Q1** The motion put by Councillor Laycock at Council's 2022 August Meeting, to name the public open space in front of the new Novotel as LYONS PLAZA, was then rightfully moved by Cr. Laycock to the alternative motion to conduct suitable public consultation - but still included LYONS PLAZA as a name for consideration and was carried by all Councillors present.

Respectfully, with Councillors unanimously agreeing to include LYONS PLAZA for consideration, it could be accepted that after having supported the name publicly, Council have already decided on the naming of the public open space prior to any public consultation, and now risk the proposed process as being seen as a ticking the box exercise.

To avoid such acceptance/consideration, I respectfully ask Council: -

- To, seriously consider offering the Devonport Youth Advisory Group to become the independent committee to view, consider, justify and recommend from submissions/consultation, the naming of the Waterfront Precinct.
- Our young people have so much to offer and are in some instances underestimated and are yet to be restricted by normality.
- The LIVING CITY Project is for the future of our community and its residents, and our young people should play a major role in this important decision making process as it is they who will inherit.
- Such a role will provide a sense of identity, belonging and meaning, which as we know leads to good citizenship.
- Connection by our young people to our community, its history and future is paramount to our city moving forward.
- Such trust in our young people will speak volumes for a LIVING CITY, and will show leadership and inclusion.
- To, request public submissions for the naming of the public open space be referred to such as the Waterfront Precinct, "being the adopted 'working title' for the project delivery stage of the new parkland."
- For, parameters for submissions to be not just about famous people but encourage awareness and reflection of our history, the what, who, why and how our city was actually formed. It should be invested with living interest.
- That, Councillors who voted for inclusion of LYONS PLAZA not partner with the public consultation process.

- LIVING CITY was a bold and courageous undertaking, and to bring our community even closer, Council should continue with such a theme with the naming of the Waterfront Precinct.

Council's Deputy General Manager, Jeffrey Griffith said, *"Plenty of studies show that engaging with youth leads to positive outcomes for youth, families, and communities. For instance, it can help youth develop higher self-esteem, improved leadership, and a stake in their own lives and communities. For Council such an opportunity will help us make better decisions for the entire community now and into the future."*

I hope you see this as a positive "ask" as I truly believe that "young people are today's leaders for tomorrow's world" and in this instance should be presented with such an important opportunity.

### **Response**

Thank you for your question and comments regarding the naming of the Waterfront Park. Council held a Workshop on naming of the area on 12 September to progress the motion which was passed at the August 2022 meeting.

At the Workshop, the process and scope were considered in detail and will be implemented in coming weeks.

Council is confident that all interested members of the community will be able to have a say and put their opinions forward. Lyons Plaza is one of several suggestions which Council is seeking feedback on, along with providing an opportunity for alternative names to be suggested.

It is premature to suggest Council favour any particular name at this point and any decision will only be made after the consideration of all the feedback from the public consultation process.

### **Mr Robert Vellacott - 11 Cocker Place, Devonport**

A letter containing questions on notice received from Mr Robert Vellacott on Sunday, 18 September 2022 is **reproduced as attachment 2**.

- Q1** Noting, as per The Advocate 17 Sept. 2022, council is discussing with the new Novotel Hotel's general manager about a suitable commercial arrangement for car parking; will the General Manager recommend that the final decision be voted upon in open council and that ratepayers, especially those involved in the hotel and accommodation industry be given the opportunity to view the final signed and unredacted written agreement?

### **Response**

Any agreement that may be established will be based on fees and charges as approved by Council as part of the 2022/23 budget deliberations and will not be a separate report to Council.

- Q2** In regard to the forthcoming council elections; for the benefit of ratepayers and candidates please provide answers to the following –

- (a) As of this date or thereabouts what is the current DCC debt?

### **Response**

Council's financial position is reported bi-monthly in the public council meeting agenda.

- (b) What progress if any has been made in regard to recovering money allegedly owed to ratepayers by Mr Ben Milbourne / Charlotte Jack Pty Ltd?

**Response**

Council has no further updates from what has been previously advised.

- (c) Apart from question (b) above, does council have any other problems/issues pertaining to the Market Square Pavilion that could or will in future cause angst to ratepayers and especially new councillors?

**Response**

It is not possible to answer whether if anything may cause 'angst' in the future.

- (d) As of this date are there any legal actions, being taken by or against council?  
And

**Response**

Council is not in a position to comment on any legal matters other than what has been previously reported.

- (e) If there are any legal actions being taken will you please provide the basic details about same?

**Response**

Refer answer above.

- (f) Has council had from the Novotel management or the owners any request relating to rates remissions?

**Response**

No.

**ATTACHMENTS**

1. Question on Notice - September 2022 - Steve Martin - Public Open Space [**3.2.2.1** - 2 pages]
2. Qso N RBV for 26 Sept 2022 Hotel Car Parking and Legal Issues [**3.2.2.2** - 1 page]

### **3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC**

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### **3.3 QUESTIONS ON NOTICE FROM COUNCILLORS**

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

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### **3.4 NOTICES OF MOTION**

Nil

## **4 PLANNING AUTHORITY MATTERS**

**The Mayor will now announce that Council intends to act as a Planning Authority under the *Land Use Planning and Approvals Act 1993* for the consideration of Agenda Items 4.1, 4.2 & 4.3.**

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

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

## 4.1 PA2022.0135 - 42 HILLCREST ROAD DEVONPORT - RESIDENTIAL (OUTBUILDING)

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

Endorser: **Jeffrey Griffith, Deputy General 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 PA2022.0135 and grant a Permit to use and develop land identified as 42 Hillcrest Road, Devonport for the following purposes:

- Residential (outbuilding)

Subject to the following conditions:

#### Planning Conditions

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as:
  - Project: Proposed Kit Shed (Sheet Numbers A101-A104), Issued 29/07/22 by n + b design; and
  - Shed Details: Job Number: 19256 by DBS Sheds Pty Ltdcopies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The outbuilding is to have a wall height no greater than 4m and an apex height of 5.42m from existing ground level.

#### Infrastructure & Works Conditions

1. The developer is to direct any stormwater collected from this work into the existing property stormwater pipe in accordance with the National Construction Code.
2. The stormwater manhole located on the south-west corner of the property is not to be covered by the shed.
3. Footings and piers for the shed are not to connect with the existing stormwater pipeline.

#### TasWater Condition

4. 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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

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

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

In regard to condition 6 the applicant should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 3-5 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

General enquiries regarding this permit 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 PA2022.0135.

### **BACKGROUND**

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	42 Hillcrest Road, Devonport
Applicant:	Nicholas John Brandsema
Owner:	Mr MJ Hankey & Mrs EA Hankey
Proposal:	Residential (outbuilding)
Existing Use:	Residential (single dwelling)
Zoning:	General Residential
Decision Due:	26/09/2022

### **SITE DESCRIPTION**

The site is an internal lot located on the western side of Hillcrest Road, approximately 80m north of the Hillcrest Road and Lawrence Drive roundabout. The site has an area of 1,752m<sup>2</sup> and is immediately adjoined by residential development to the north and south and a Council reserve to the west. Existing buildings on the site include a single dwelling and numerous outbuildings. Figure 1 is a copy of the property title and Figure 2 is an aerial image of the site and surrounding locality.

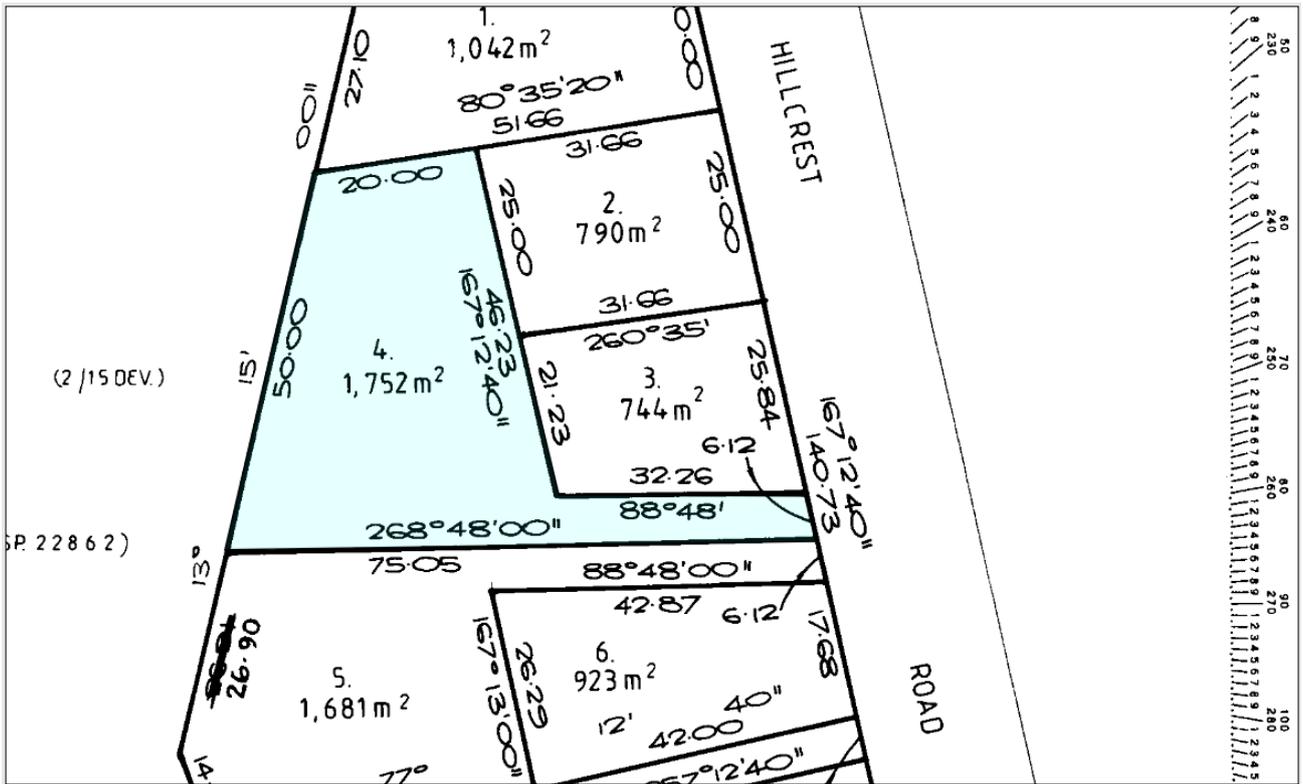


Figure 1 – Title Plan of subject site - 44071/4 (The List, 1990)



Figure 2 – Aerial image of the site (outlined in blue) and surrounding locality (DCC, 2021)

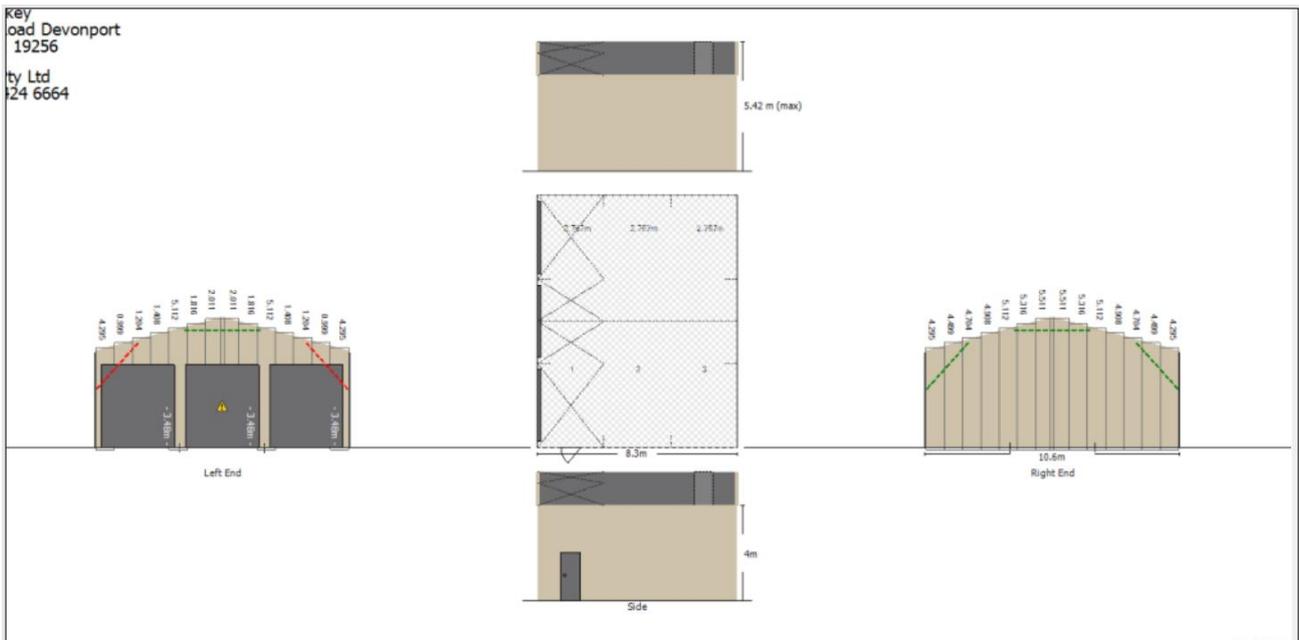
**APPLICATION DETAILS**

The applicant is seeking approval for a 10.6m x 8.3m outbuilding on the south-west section of the site. The prefabricated outbuilding is proposed to be setback 0.2m to the southern side boundary and 2.14m to the rear boundary (west boundary) at its closest point. The outbuilding is proposed to incorporate 3 roller doors and have a wall height of 4m with an apex height of 5.42m. The existing sheds in the proposal's location will be removed.

Figure 3 is a copy of the site plan and Figure 4 is the elevation details of the shed. A full copy of the application is appended as Attachment 1 to this report.



Figure 3 – Site plan (n + b design, 2022)



**Figure 4 – Outbuilding elevation details (DBS, 2022)**

**PLANNING ISSUES**

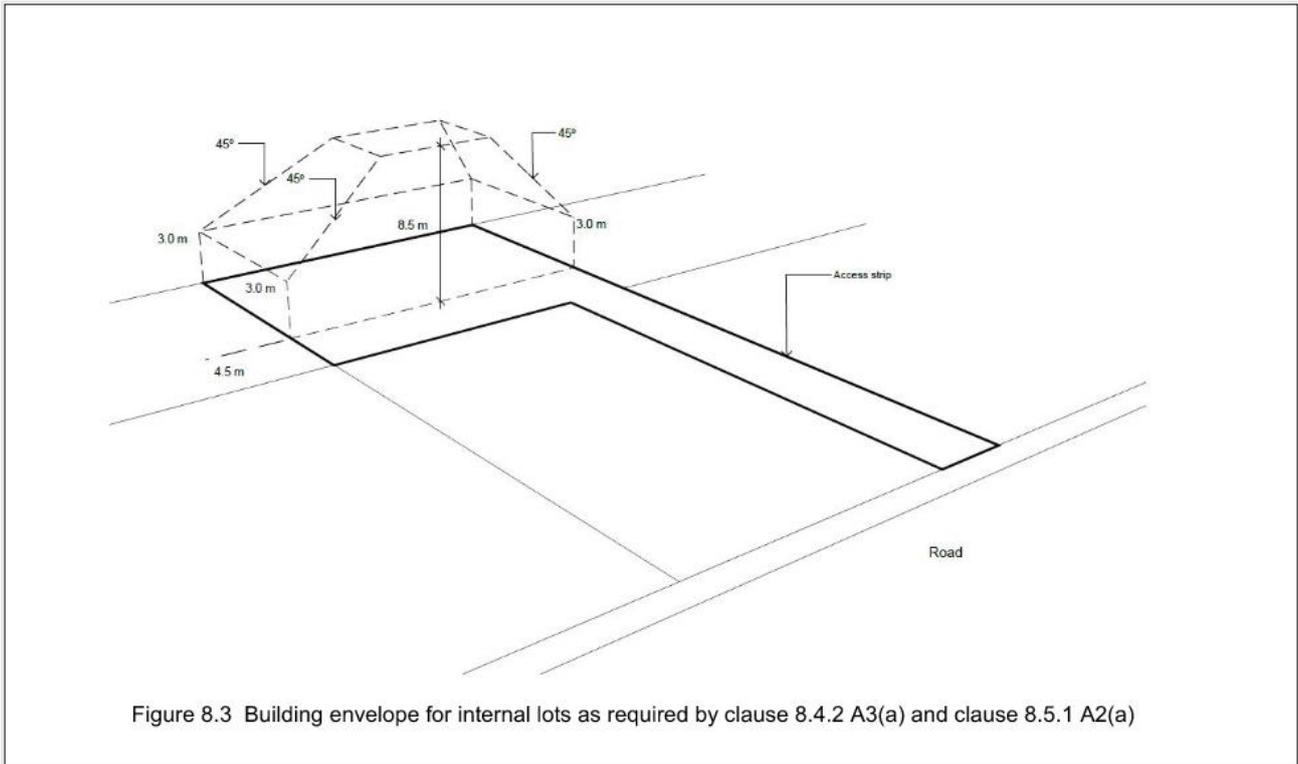
The land is zoned General Residential under the *Tasmanian Planning Scheme – Devonport, 2020*. The purpose of the General Residential Zone is:

- 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.*

Residential use for an outbuilding associated with a single dwelling does not require a planning permit in the General Residential zone. Where development cannot meet the relevant acceptable solutions for the design standards a planning permit can be sought under section 57 of the *Land Use Planning and Approvals Act 1993*.

The proposed outbuilding meets the relevant acceptable solutions for the Zone, except for standard 8.4.2 A3. This standard is reproduced on the next page along with assessment against the corresponding performance criteria to determine if a permit pathway can be supported.

<p><b>Objective:</b>                  The siting and scale of dwellings:</p> <ul style="list-style-type: none"> <li>(a) provides reasonably consistent separation between dwellings and their frontage within a street;</li> <li>(b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings;</li> <li>(c) provides separation between dwellings on adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and</li> <li>(d) provides reasonable access to sunlight for existing solar energy installations.</li> </ul>	
<p><b>Acceptable Solutions</b></p> <p><b>A3</b>                  A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> <li>(a) be contained within a building envelope (refer to Figures 8.1, 8.2 and 8.3) determined by:                         <ul style="list-style-type: none"> <li>i. a distance equal to the frontage setback or, for an internal lot, a distance of 4.5m from the rear boundary of a property with an adjoining frontage; and</li> <li>ii. projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</li> </ul> </li> <li>(b) only have a setback of less than 1.5m from a side or rear boundary if the dwelling:                         <ul style="list-style-type: none"> <li>i. does not extend beyond an existing building built on or within 0.2m of the boundary of the adjoining property; or</li> <li>ii. does not exceed a total length of 9m or one third the length of the side boundary (whichever is the lesser).</li> </ul> </li> </ul>	<p><b>Performance Criteria</b></p> <p><b>P3</b>                  The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> <li>(a) not cause an unreasonable loss of amenity to adjoining properties, having regard to:                         <ul style="list-style-type: none"> <li>i. reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining property;</li> <li>ii. overshadowing the private open space of a dwelling on an adjoining property;</li> <li>iii. overshadowing of an adjoining vacant property; or</li> <li>iv. visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining property;</li> </ul> </li> <li>(b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area; and</li> <li>(c) not cause an unreasonable reduction in sunlight to an existing solar energy installation on:                         <ul style="list-style-type: none"> <li>i. an adjoining property; or</li> <li>ii. another dwelling on the same site.</li> </ul> </li> </ul>



**Comment** – The outbuilding falls outside the acceptable building envelope due to its proposed height adjacent to the southern side boundary. The ‘left end’ elevation shown in Figure 4 shows the location of the acceptable building envelope (in red) and how the shed extends beyond the building envelope.

The applicant has provided shadowing diagrams for 21<sup>st</sup> June to support the performance criteria assessment. This date (winter solstice) is the worst-case scenario for shadows as the sun is at its lowest point and daylight hours are reduced. The shadowing diagrams have been produced for various times and are shown below in Figures 5-8.



**Figure 5 – Shadowing diagram for 9am, June 21 (n + b, 2022)**



**Figure 6 – Shadowing diagram for 11am, June 21 (n + b, 2022)**



**Figure 7 – Shadowing diagram for 1pm, June 21 (n + b, 2022)**



**Figure 8 – Shadowing diagram for 3pm, June 21 (n + b, 2022)**

As seen from the above diagrams, the overshadowing impact from the outbuilding is to the adjoining southern property – 44 Hillcrest Road. This property contains an existing single dwelling. The overshadowing impact will not detrimentally affect this property as the dwelling will not be burdened by shadow. In addition, the overshadowing will have negligible impact on outdoor recreation areas to this property, with the shadow impact primarily on garden sheds and driveway/parking areas.

Regarding visual bulk, the outbuilding will impact the visual amenity of the adjoining southern property. However, the outbuilding is separated by approximately 13m from the nearest part of the neighbouring dwelling, which will mitigate most of the visual bulk impact.

The outbuilding will achieve visual separation that is consistent with the area's built form, noting that numerous outbuildings within the site's vicinity are constructed to their respective side or rear boundaries.

The outbuilding will not interfere with neighbouring solar power installations.

Overall, the outbuilding can be supported against the performance criteria prescribed within 8.4.2 P3.

In relation to applicable Codes, the property is mapped within the following overlays:

- Priority vegetation area – C7.0 Natural Assets Code;
- Bushfire-prone area – C13.0 Bushfire-Prone Areas Code; and
- Airport obstacle limitation area C16.0 - Safeguarding of Airports Code.

The development is exempt under these codes for the reasons outlined in Table 1.

<b>Overlay</b>	<b>Code exemption rationale</b>
Priority vegetation area	The site is situated within the General Residential zone and does not involve a subdivision.
Bushfire-prone area	This Code only applies to subdivision and a vulnerable or hazardous use. Further consideration regarding bushfire controls (if necessary) will be required as part of the applicable building approval process.
Airport obstacle limitation area	The obstacle limitation area for the site is 155.1m AHD. As the development is well below this threshold it is exempt under this Code.

**Table 1 – Mapped overlays and exemption rationale**

### **COMMUNITY ENGAGEMENT**

On 01/08/2022, 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 27/08/2022;
- (b) Making a copy of the proposal available in Council Offices from the 27/08/2022;
- (c) Notifying adjoining property owners by mail on 25/08/2022; and
- (d) Erecting a Site Notice for display from the 26/08/2022.

The period for representations to be received by Council closed on 09/09/2022.

### **REPRESENTATIONS**

One representation was received within the prescribed 14 day public scrutiny period required by the *Land Use Planning and Approvals Act 1993*. The representation was received from the owners of 44 Hillcrest Road and is appended as Attachment 2 to this report.

The representation raises various concerns and questions regarding the application. The matters have been summarised and comment provided in Table 2 below.

<b>Summary of concerns/questions regarding the application</b>	<b>Officer comment</b>
The adjoining letter received and the application details on the website were not clear on what the application was seeking approval for.	The application was advertised in accordance with the requirements prescribed within the <i>Land Use Planning Approvals Act 1993 &amp; Land Use Planning and Approval Regulations 2014</i> . The application could be viewed at the parnaple centre or on Council's website.
What is the application seeking approval for? The plans reference a Proposed Residence however the application is advertised as Residential (outbuilding).	The application is for a residential outbuilding. It is noted the plans are titled 'Proposed Residence' on the designer drawings which is an oversight.
Concerns that Alex Mountney, Land Use Planning Coordinator, is known to the landowners.	The application has been assessed by Carolyn Milnes, Senior Town Planner.
Has sufficient information been provided to assess the application in accordance with the <i>Tasmanian Planning Scheme – Devonport</i> per clause 6.1.3 (b) and (c)?	Yes.
Can plans be provided which indicate which sections of the proposal are outside the building envelope?	The shed documentation provided highlights an indicative building envelope and the shed's protrusion outside the building envelope (refer to <i>Planning Issues</i> section in this report)
Additional plans are required to demonstrate a better understanding of the proposal i.e slab height v shed height.	Sufficient information has been provided to assess the proposal against the development standards prescribed within the planning scheme.
Concerns that the outbuilding may be situated closer to the side boundary when considering the provision of guttering.	The setback of a building is taken from the wall. Eaves and gutters are considered protrusions which are not required to be considered for a building's setback.
The shed would have less amenity impact if it were proposed in another location on the site.	Not relevant to the assessment of this application.
Overshadowing	The outbuilding has been assessed against the performance criteria for the building envelope variation and the overshadowing impact has been assessed as not having a detrimental amenity impact on 44 Hillcrest Road (refer to the <i>Planning Issues</i> section of this report).

<p>Visual impact/bulk/scale</p>	<p>It is acknowledged that the outbuilding is large, however the wall height is not unusual for residential properties. Due to the physical separation between the outbuilding and the dwelling at 44 Hillcrest Road the visual impact is reduced.</p>
<p>Recommendation of following conditions if the application is approved:</p> <ol style="list-style-type: none"> <li>1. <i>A survey (to be paid by the planning application proponent) be completed to ensure the correct boundary is visible via peg markings to ensure the proposed industrial sized residential outbuilding is located on their property as per the correct boundary locations. It is requested that considering the co joined boundary is some 75.05 metres in length that survey pegs be located where the two back boundaries meet the side boundary, a survey peg be placed in the vicinity of the stormwater manhole mid way in the driveway and at the beginning of the driveway. The fence was constructed by the previous owner of 42 Hillcrest Road and we would like to ensure the property boundaries are correct.</i></li> <li>2. <i>The proponent at their cost, engage a suitable landscaper/garden service to replace at minimum the shadowed area of the yard with shade tolerant grass and ensure the soil is capable of supporting this type of grass during winter months.</i></li> <li>3. <i>If the proponent removes any part of the current fence between both properties, a fence of the current minimal height whether temporary or permanent be in place at all times on the boundary line, to ensure our animals are able to be kept secured within our property. Any costs associated with fencing is to be at the proponents' costs.</i></li> </ol>	<p>The requests are noted however they are not requirements that can be legally enforced on a planning permit.</p>

**Table 2 – Summary of representation and officer comments**

Overall, the representation is recommended to be noted by the Planning Authority, however no change to the outbuilding as proposed is determined required.

### **DISCUSSION**

The application has been assessed by Council staff with an interest in development applications and the application was referred to TasWater for comment.

Part of the shed is proposed to be located over a stormwater main. Council's Infrastructure & Works Department can support the location of the outbuilding subject to conditions which will be included on the planning permit.

TasWater has issued a Submission to Planning Authority (SPAN) which will be included as a permit condition.

### **FINANCIAL IMPLICATIONS**

No financial implications are anticipated, unless an appeal is made against the Council's decision to the Tasmanian Civil and Administrative Tribunal. In such instances, 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 proposal has been assessed against the requirements of the planning scheme. All relevant standards can be satisfied whether acceptable solutions or performance criteria. Conditional approval is recommended.

### **ATTACHMENTS**

1. Application - PA2022.0135 - 42 Hillcrest Road [4.1.1 - 18 pages]
2. Representation - PA2022.0135 - 42 Hillcrest Road [4.1.2 - 6 pages]

## **4.2 AM2022.01 & PA2022.0024 - 133 MIDDLE ROAD MIANDETTA - COMBINED AMENDMENT AND DEVELOPMENT APPLICATION**

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

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

### **RECOMMENDATION**

That the Planning Authority resolve that:

- no modifications are required as a result of the representations received other than those submitted by TasWater and Tasmania Fire Service for which modifications to the draft permit conditions are recommended;
- the Tasmanian Planning Commission be advised that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*;
- a copy of this report be forwarded to the Tasmanian Planning Commission, including a copy of each representation and the applicant's responses to the representations submitted by Tasmania Fire Service and TasWater;
- certification of the draft amendment, as per resolution 22/117, remains supported; and
- draft permit condition 1. be amended to read as follows:
  1. The development is to proceed generally in accordance with the submitted plans referenced as:
    - Job No. 12548932, Figures 13, Revision B, dated 03 Aug 2022, Figure 14, Rev A, dated 06 Oct 2021 & Figure 16, Rev A dated 22 April, 2022 by GHD Pty Ltd;
    - Bushfire Hazard Management Report: Subdivision, dated 24<sup>th</sup> August, 2022, Version 2, by Livingston Natural Resource Services;
    - Bushfire Hazard Management Plan: Subdivision, ref SLRL22/555, dated 24/8/2022 by Livingston Natural Resource Services; and
    - Natural Values Report, dated 5<sup>th</sup> July, 2021, by Livingston Natural Resource Services

copies of which are attached and endorsed as documents forming part of this Planning Permit.

### **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 changes are required in regard to draft amendment AM2022.01 and concurrent planning application PA2022.0024, as a result of the representations received in regard to

the proposal to amend the *Tasmanian Planning Scheme – Devonport* and the Local Provisions Schedule in accordance with Section 40T of the *Land Use Planning and Approvals Act 1993* in regard to the following matters:

- Removal of the Devonport Reserved Residential Land Specific Area Plan from CT249880/1;
- Introduction of the Open Space zone to CTs 249880/1 & 198366/1;
- Realignment of the Community Purpose and General Residential zones;
- Removal of Priority Vegetation Area (in whole or part) from CTs 15534/23, 104380/1, 69003/1 & 2 and 198366/1; and
- 7 Lot subdivision.

### **BACKGROUND**

Council resolved, at its meeting of the 27<sup>th</sup> of June, 2022, to certify draft amendment AM2022.01 and concurrent planning application PA2022.0024. The original report is appended as Attachment 1. As part of the assessment process, Council was required to advertise the draft amendment and concurrent planning permit and refer the proposal to a number of state agencies. Interested parties had a period of 28 days in which to submit a representation if desired.

### **COMMUNITY ENGAGEMENT**

The draft amendment was placed on public exhibition for a period of 28 days in accordance with section 40G of the Act. During this time, people had the opportunity to comment via representation made to Council.

In accordance with sections 40K & 42 of the Act, a report must be provided to the Tasmanian Planning Commission regarding the merit of the representations and including any recommendations the Planning Authority sees fit.

### **REPRESENTATIONS**

Representations were received from TasWater, State Growth, Tasmania Fire Service and 39 members of the public. A petition was also received containing 542 signatures. A small number of petition signatories also submitted individual representations. The representations can be found in Attachments 2-6.

The petition does not meet the requirements of a petition under the *Local Government Act 1993*, however it can be treated as a representation. The petition states that the signatories are, '*... in opposition of the development application A 2022.002 removal of Vegetation overlay and other amendments as included in the planning application.*' No other information has been provided.

The issues raised are listed in the table below, along with comments. The first issue deals with the public's concern regarding clearing the existing vegetation located on the site. A number of issues have been raised which are tied to vegetation removal. These have been assessed as a whole.

Issue	Comment
<ul style="list-style-type: none"><li>• Clearing/clear felling of 133 Middle Road</li><li>• Loss of habitat as a result of vegetation removal</li></ul>	No clearing of vegetation is proposed as part of the current proposal. Should vegetation removal be proposed in the future the applicants will need to comply with the legislation in force at that time.

<ul style="list-style-type: none"> <li>• Existing bush is s wildlife corridor</li> <li>• Impact of clearing on threatened species</li> <li>• Existing vegetation acts as a carbon offset</li> <li>• Impact of vegetation removal on views/ scenic backdrop</li> <li>• Vegetation removal is inconsistent with Strategic Plan</li> <li>• Vegetation removal is inconsistent with Environment Strategy</li> <li>• Vegetation offsets</li> <li>• State of the Environment report</li> <li>• Vegetation removal inconsistent with Cities Power Partnership</li> <li>• Mental health impacts as a result of vegetation removal</li> </ul>	<p>The Priority Vegetation Area Overlay is not proposed to be removed from the existing bushland, therefore the requirements of the Natural Assets Code, along with state and federal legislation in the form of the <i>Threatened Species Protection Act 1995</i> and the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> respectively will need to be met.</p> <p>The proposal is essentially a reconfiguration of lot boundaries, along with a reconfiguration of the existing zoning and the addition of the Open Space Zone. Minimal work will be required to complete the subdivision process, the majority of which will take place within areas already cleared of vegetation.</p>
<p>Clearing of land west of Homemaker Centre/Tugrah Road/Harris Road</p>	<p>Vegetation removal on other parcels of land is not relevant to this proposal. As stated above, compliance with all relevant legislation will be required should vegetation removal be proposed in the future.</p>
<p>Site a Green belt/ told land behind Penambul Drive couldn't be built on</p>	<p>The subject site is not a declared green belt, nor has there previously been any stipulation that the land could not be built on. The land has been subject to residential and community purpose zonings since at least the introduction of the 1984 planning scheme. The Reserved Residential Zone, as was previously applicable, limited subdivision of the site as a mechanism for withholding land for development prior to more readily serviced land. The idea being, that residential land was developed in response to demand, moving out from the CBD in an orderly fashion.</p>
<p>Community Purpose Zone allows for community use ie community activities/access. This should not be altered.</p>	<p>The land is privately owned and the Community Purpose Zone does not mean that the community has access to the site.</p>
<p>Loss of recreational land</p>	<p>The site is not currently recreational land as it is in private ownership, therefore no recreational land will be lost. Given it is proposed to donate 7 hectares of land to Council, additional land will become available for public recreation. A walking/bike path is proposed to be constructed within the open space lot.</p> <p>Plans regarding the construction of a bike/walking track are already in progress with resolutions supporting the</p>

	proposal approved by Council in December 2018. In addition the path is supported by Council's Bike Riding Strategy and the Public Open Space Strategy, due to be adopted by Council at this meeting (26 September, 2022).
The existing bushland should be set aside for Public Open Space	The <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> requires 5% of a lot be set aside for public open space in regard to subdivision. In this case, 32% of the site is proposed to be donated as public open space which far exceeds the requirements.
Appropriateness of open space contribution given the transmission lines run along the southern side of the lot	Utilising the existing maintenance track under the transmission lines allows for a bike path to be constructed without the need to remove quality vegetation. In addition to the land covered by the transmission line is approximately 3.5ha of bush to the north and a smaller area of approximately 7,000m <sup>2</sup> to the south. Excluding the transmission line, and the area cleared around it, the total bushland proposed to be donated as public open space is approximately 20% of the total site area.
Council to purchase land (and 57 Stony Rise Road)	Council's current strategies have a focus on protecting and enhancing the existing public open space currently under Council's control, rather than acquiring new areas unless donated.
Utilise land for tourism/education	Should the owners of the land wish to make use of the land for tourism or education purposes the proposed zoning will allow for this to occur, subject to a planning application.
Introduce buffer behind Penambul Drive properties	No new uses or vegetation clearing are proposed as part of the application therefore there is currently no need for a buffer to be introduced. However, a future concept plan provided as part of the application does show a buffer behind the Penambul Drive properties.
Residential subdivision design inappropriate, including provision of land for Central North Burrowing Crayfish	There is no residential subdivision proposed. The future plans are indicative only.
Middle Road overpass, Berrigan Road & Middle Road unable to cater for additional traffic	Limited, if any, additional traffic will be generated as a result of the proposal. State Growth has submitted a representation advising there is no concern with the proposal. There are numerous routes available to road users in the area allowing for access both the Bass Highway and CBD. The TIA supplied as part of the application demonstrates that the existing road network has capacity to cater for additional residential lots be created in the future.
Lack of services to cater for increase in residents	The change to the area of the General Residential Zone is minimal, allowing for approximately 10 additional lots (not taking roads into account). In light of this additional services are not deemed necessary.
Primary school at capacity	Miandetta Primary School is not taking any new enrolments for out of area students, however they have

	capacity to take new students living within the catchment area.
Removal of 1ha of trees on lot 3 for fire mitigation (tall trees should be left)	<p>Tasmania Fire Service's publication, <i>Building for Bushfire</i>, lists the following in regard to bushfire hazard management areas:</p> <p>Some common maintenance includes:</p> <ul style="list-style-type: none"> <li>• Remove selected small trees to maintain clumps separated by open areas, rather than continuous strips of vegetation;</li> <li>• Prune lower branches and shrubs; and,</li> <li>• Minimise fine fuels at ground level: mow, slash, and rake.</li> </ul> <p>It also states that, 'Retention of some trees helps to trap embers and reduce wind speeds around your building.' (<i>Building for Bushfire</i>, Tasmania Fire Service, June 2020).</p> <p>The above demonstrates that complete removal of vegetation is not necessary in regard to fire mitigation.</p>
Option for residents to purchase adjoining land	This is not a matter that can be dealt with by Council. Interested parties would need to discuss this with the landowner or their real estate agents.
Removal of Priority Vegetation Area	The Priority Vegetation Area Overlay is not proposed to be removed from any of the existing bushland. It is proposed to be removed from the areas that are already cleared of vegetation, on the western side of the site. Figure 1 shows the proposed priority vegetation area overlay superimposed over an aerial photo showing the extent of the vegetation on the site.
Opposed to removal of Devonport Reserved Residential Land Specific Area Plan - believe it has stronger protections than the PVA	<p>Approximately 3ha of land is proposed to be removed from the SAP which will be available for future subdivision, the remainder being subject to the proposed Open Space Zone. The Specific Area Plan is not part of the State Planning Provisions (SPPs), rather a transitional result from former planning schemes and originating back to the Reserved Residential Zone which was originally applied to this land under the <i>Devonport &amp; Environs Planning Scheme 1984</i>. The SAP only regulates subdivision, not other forms of development, this is in keeping with the Priority Vegetation Area overlay which is only applicable to subdivision in the General Residential Zone.</p> <p>Approximately 263 multiple dwellings could be approved within the existing General Residential Zone which is covered by the SAP (and PVA overlay), not taking any other considerations into account.</p> <p>While the SAP includes a provision under clause DEV-S3.8.1 P1(a) which states that:</p> <p>The subdivision of land must:</p> <p>(a) make appropriate provision for the protection of any threatened fauna and flora identified to exist on the land; and</p>

	<p>this clause does not impose any greater requirements than the current state and federal legislation and is therefore not deemed to result in any higher level of compliance or assessment.</p> <p>The removal of the SAP will bring the <i>Tasmanian Planning Scheme - Devonport</i> into greater conformity with the SPPs and allow for subdivision of the land, something which is not currently possible as no staging plan for the efficient and orderly release of land exists, meaning clause DEV-S3.8.1 P1(b)(iii) cannot be satisfied.</p>
<p>Previous limited access to Stony Rise Road</p>	<p>The <i>Devonport &amp; Environs Planning Scheme 1984</i> and the <i>Devonport Interim Planning Scheme 2013</i> both contained the Stony Rise Road Strategic Road Network Plan which limited access onto Stony Rise Road due to its use as a B-double route. This is no longer the case, except in a very limited capacity, and access is no longer limited to Stony Rise Road under the current <i>Tasmanian Planning Scheme – Devonport 2020</i>. In any case, no new accesses to Stony Rise Road are proposed.</p>
<p>Lack of consultation</p>	<p>A number of representors raised a lack of consultation in regard to the proposal as being an issue. Council has complied with the notification requirements in regard to the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Land Use Planning Regulations 2014</i>.</p>
<p>Tasmania Fire Service submission – query regarding Bushfire Hazard Management Plan and certification</p>	<p>The Bushfire Hazard Management Report submitted as part of the application has been revised and the Tasmania Fire Service has advised the amended report satisfies requirements. The revised Bushfire Hazard Management Report and Plan can be found at Attachment 6.</p> <p>The draft permit conditions should be amended to reflect the amended report.</p>
<p>TasWater submission – additional information requested</p>	<p>TasWater has stated there is no concern regarding the proposed amendment however has submitted a representation requesting additional information. The process for assessing planning permit applications associated with draft amendments differs to that of a standard planning permit application in that there is no opportunity to refer the application to TasWater prior to the draft permit conditions being determined and the public notification period commencing.</p> <p>The applicant has worked with TasWater to address the issues raised and submitted additional information in the form of a report and amended plans which can be found at Attachment 7. The draft permit conditions should be amended to reflect the amended plans.</p> <p>Should TasWater require additional alterations an opportunity to discuss this will be available during the associated Tasmanian Planning Commission hearing.</p>

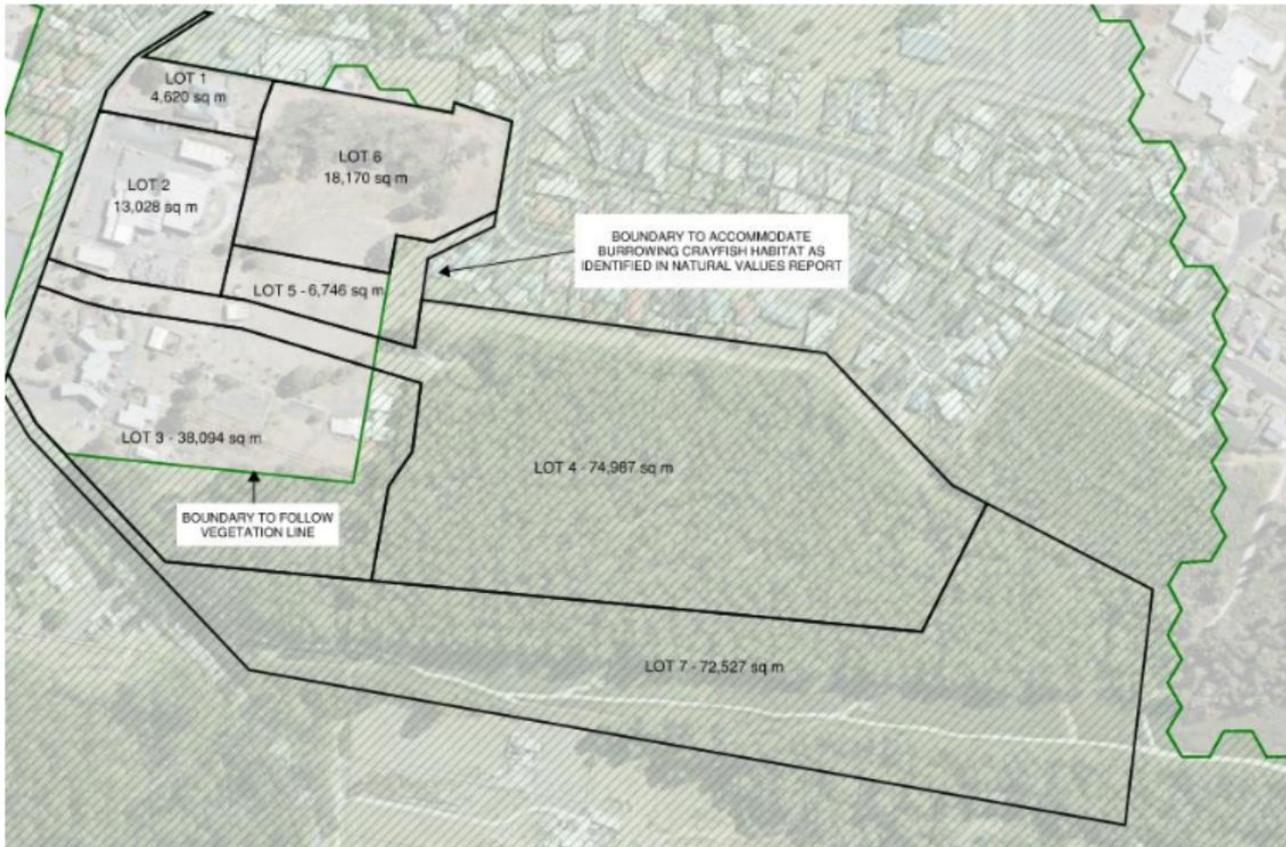


Figure 1 - Proposed Priority Vegetation Area overlay (Source: GHD)

### STATUTORY REQUIREMENTS

Section 40k of LUPAA requires that the Planning Authority must be satisfied that the draft amendment meets the Local Provisions Schedule (LPS) criteria as listed in section 34. No alterations to the draft amendment or concurrent planning permit have been suggested that result in changes to the initial assessment of the LPS criteria as previously endorsed as part of the report considered by the Planning Authority on the 27<sup>th</sup> of June 2022. The proposal continues to meet the LPS criteria.

### FINANCIAL IMPLICATIONS

The financial implications anticipated as a result of this proposal are in regard to the donation of land to be rezoned as Open Space. Council would be responsible for the ongoing maintenance of the land, however it is likely these costs would be minimal when compared to the benefits to the public in regard to the provision of land available for passive recreation and natural and landscape amenity.

### CONCLUSION

The proposed changes to the Devonport Local Provisions Schedule mapping will allow Devonfield to rationalise their land assets whilst also allowing for more appropriately zoned General Residential land along with the provision of open space for both the community and visitors to utilise. The representations received regarding this proposal are not deemed to have raised any issues that require any changes to the proposal, excepting those submitted by Tasmania Fire Service and TasWater.

## **ATTACHMENTS**

1. Council Planning Report - AM2022.01 & PA2022.0024 - 133 Middle Road [**4.2.1** - 313 pages]
2. Representations received from the public - AM2022.01 & PA2022.0024 - 133 Middle Road [**4.2.2** - 136 pages]
3. TasWater Representation to Combined Permit and Amendment [**4.2.3** - 4 pages]
4. Tasmania Fire Service representation [**4.2.4** - 1 page]
5. State Growth representation [**4.2.5** - 1 page]
6. Applicant's response to TasWater representation [**4.2.6** - 21 pages]
7. Applicant's response to Tasmania Fire Service Representation - Bushfire Report Devonfield Middle Road v 2 [**4.2.7** - 25 pages]

## 4.3 PA2022.0154 - 101 CUTTS ROAD DON - RESIDENTIAL (SINGLE DWELLING)

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

Endorser: **Jeffrey Griffith, Deputy General 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 PA2022.0154 and grant a Permit to use and develop land identified as 101 Cutts Road, Don for the following purposes:

- Residential (single dwelling)

Subject to the following conditions:

#### Planning Condition

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Proposed Residence (Sheet Numbers A100-A104), Issue Date 20/04/22 (Revision A) by n + b design, a copy of which is attached and endorsed as documents forming part of this Planning Permit.

#### Infrastructure & Works Condition

2. Stormwater from the development is to be discharged in accordance with the National Construction Code.

#### Environmental Health Conditions

3. The applicant is to submit a design report (including a site and soil evaluation in accordance with AS/NZS1547:2012) to demonstrate that the property can support an on-site wastewater treatment system.
4. The applicant is to submit a Plumbing Permit Application, along with supporting documentation as required under Schedule 2 of the Director's Determination - Director's Specified List v1.2 (Building Act 2016), for an on-site wastewater disposal system as part of the Building and Plumbing application process.

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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

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

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

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

**RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

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

**SUMMARY**

The purpose of this report is to enable Council, acting as a Planning Authority to make a decision regarding planning application PA2022.0154.

**BACKGROUND**

Planning Instrument:	<i>Tasmanian Planning Scheme – Devonport 2020</i>
Address:	101 Cutts Road, Don
Applicant:	Platinum Pro Construction Pty Ltd
Owner:	Mr MJ Sturzaker & Mrs SJ Sturzaker
Proposal:	Residential (single dwelling)
Existing Use:	Vacant Land
Zoning:	Rural Living A
Decision Due:	12/10/2022

**SITE DESCRIPTION**

The site is an internal lot accessed from Cutts Road, Don. The site has an area of 4964m<sup>2</sup> and is vacant land. The property has a gentle slope, falling approximately 10m to the south (rear boundary). The site is adjoined by rural residential development to the north and south, with the Bass Highway situated to the west.

Figure 1 is a copy of the property title, Figure 2 is an aerial image of the site and Figure 3 is a photo of the property taken from the northern section of the site.

**SITE HISTORY**

The site was subdivided from 99 Cutts Road (CT 179786/1). The planning permit for the subdivision was approved in April 2019 (refer to PA2019.0007) and the subsequent titles issued in October 2020.

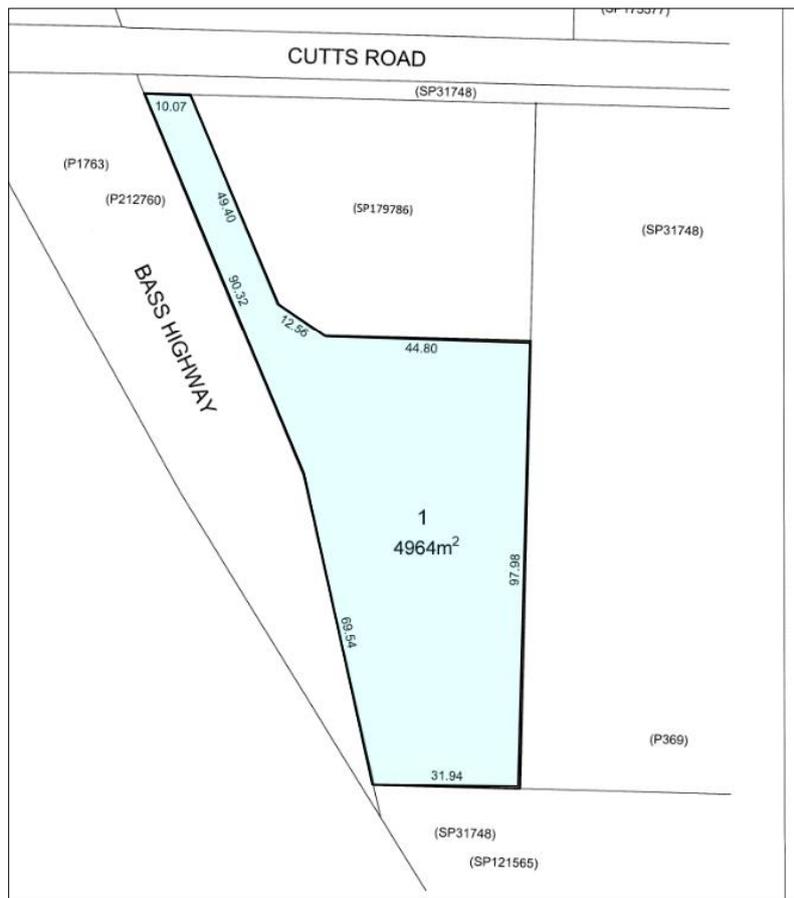


Figure 1 – Property Title CT 179787/1 (The List, 2020)



Figure 2 – Aerial image of the site (outlined in blue) and surrounding locality (DCC, 2021)



**Figure 3 – Photo of the site looking south (DCC, 2022)**

**APPLICATION DETAILS**

The applicant is seeking approval to construct a single dwelling on the property. The dwelling is proposed to be positioned on the northern quadrant of the site. The dwelling is proposed to incorporate 3 bedrooms and will be a split-level design to accommodate the fall of the land.

Figure 4 is a copy of the site plan and Figure 5 is an indicative view of the dwelling looking from the south-east. A full copy of the application documentation is appended as an Attachment to this report.

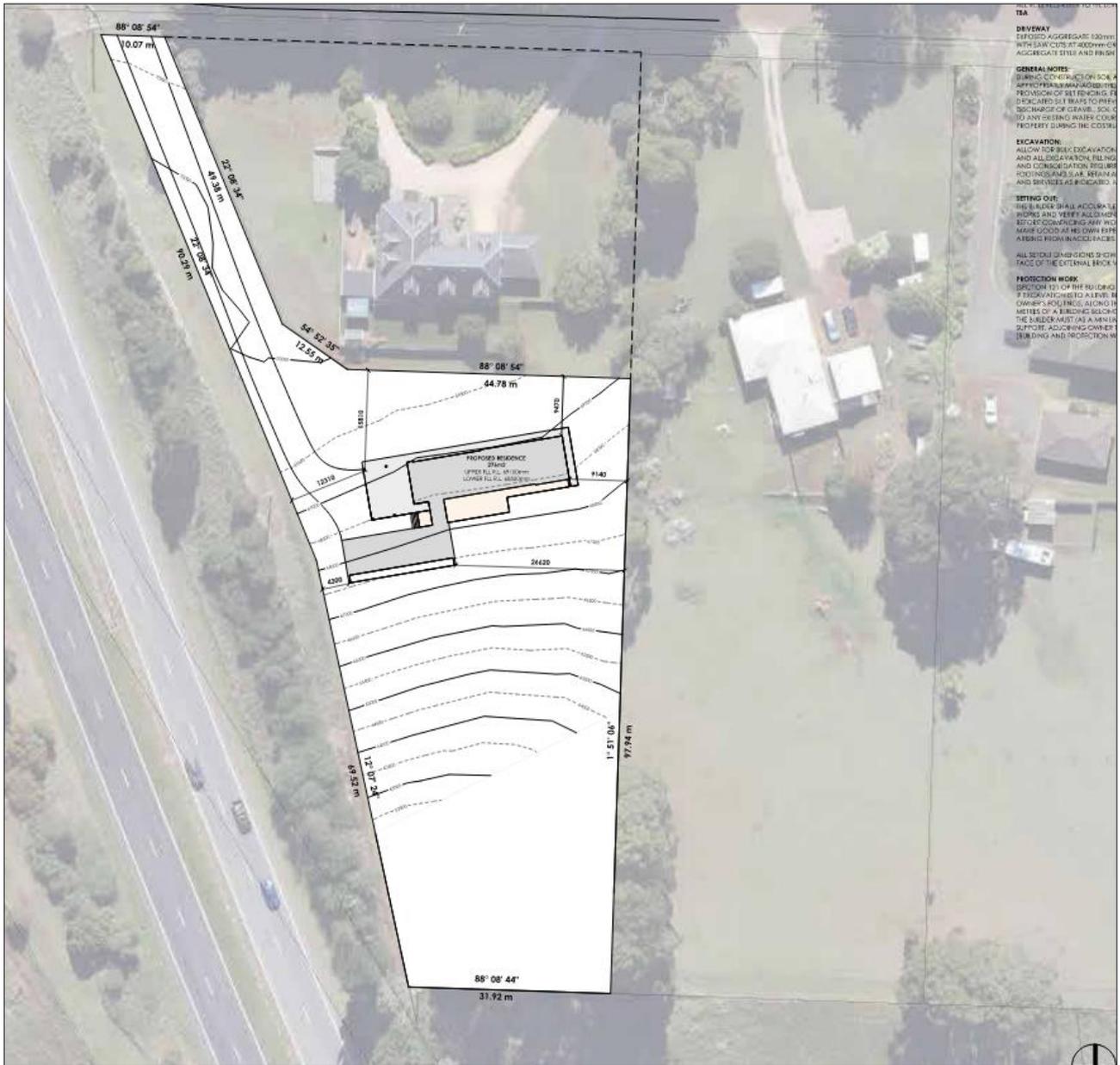


Figure 4 – Site plan (n + b design, 2022)



Figure 5 – Indicative view of the dwelling looking from the south-east (n + b design, 2022)

**PLANNING ISSUES**

The land is zoned Rural Living A under the *Tasmanian Planning Scheme – Devonport, 2020*. The purpose of the Zone is:

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

Residential use for the purposes of a single dwelling does not require a planning permit where all acceptable solutions contained within the zone and any applicable code are met. In instances where this is not achieved the corresponding performance criteria must be satisfied.

In this case, the development is relying on satisfying the performance criteria on various development standards which are reproduced and evaluated below.

11.0 Rural Living Zone

**11.4.2 - Building height, setback and siting**

<p><b>Objective:</b> That height, setback and siting of buildings:</p> <ul style="list-style-type: none"> <li>(a) is compatible with the character of the area;</li> <li>(b) does not cause an unreasonable loss of amenity;</li> <li>(c) minimises the impact on the natural values of the area; and</li> <li>(d) minimises the impact on adjacent uses.</li> </ul>	
<p><b>Acceptable Solution</b></p> <p><b>A3</b> Buildings must have a setback from side and rear boundaries of not less than 10m.</p>	<p><b>Performance Criteria</b></p> <p><b>P3</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the size, shape and orientation of the site;</li> <li>(c) the setbacks of surrounding buildings;</li> <li>(d) the height bulk and form of existing and proposed buildings;</li> <li>(e) the character of the development existing on established properties in the area; and</li> <li>(f) any overshadowing of adjoining properties or public places.</li> </ul>

**Comment –** The dwelling’s position cannot satisfy the acceptable solutions of the above standard as the dwelling is located within the 10m acceptable setback threshold to the north, east and west side boundaries.

In response to the performance criteria, the dwelling is positioned on the flattest area of the lot. The proposed setback to the north and east side boundaries is slightly outside the acceptable solution. The dwelling will not overshadow adjoining residential properties due to its southern location in respect of these properties. In addition, the visual bulk of the dwelling is not found to be unreasonable as the dwelling will be located below the building level of adjoining dwellings. As the property adjoins the Bass Highway to the west, the 4.3m proposed setback to the western boundary can be favourably considered. The dwelling's setbacks are characteristic of existing buildings within the site's vicinity with 59, 67 and 71 Cutts Road all containing buildings within the acceptable side setback threshold. The performance criteria can be supported for 11.4.2 P3.

The application can satisfy the acceptable solutions of all other applicable standards of the Rural Living Zone.

**C6.0 Local Historic Heritage Code**

The subject site is located within an area affected by the Local Historic Heritage Code - Don/Lilloo Strait Local Historic Landscape Precinct (Reference Number Dev-C6.3.1). The proposed development requires discretion under C6.7.3 P1 as demonstrated below.

**C6.7.3 Buildings and works, excluding demolition**

<p><b>Objective:</b> That development within a local heritage precinct or a local historic landscape precinct is sympathetic to the character of that particular precinct.</p>	
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b> Within a local heritage precinct or local historic landscape precinct, building and works, excluding demolition, must: (a) not be on a local heritage place; (b) not be visible from any road or public open space; and (c) not involve a value, feature or characteristic specifically part of a local heritage precinct or local historic landscape precinct listed in the relevant Local Provisions Schedule.</p>	<p><b>P1.3</b> Within a local historic landscape precinct, design and siting of buildings and works, excluding demolition, must be compatible with the local historic landscape precinct, having regard to: (a) the landscape values identified in the statement of local historic heritage significance for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule; and (b) any relevant design criteria or conservation policies for the local historic landscape precinct, as identified in the relevant Local Provisions Schedule.</p>

**Comment** - The proposal will be visible from a road frontage and therefore the acceptable solutions for the above standard cannot be satisfied.

The Don/Lilloo Strait Local Historic Landscape Precinct contains no prescribed design criteria or conservation policy. The dwelling is located within a residential grouping of development and therefore will not interfere with the landscape values of the precinct. The performance criteria for this standard can be satisfied without further comment.

The property is also subject to the following mapped overlays, however the exemptions of the respective Codes can be met (refer discussion below).

C7.0 Natural Assets Code - Priority Vegetation Area

The site is primarily vegetation-free, and the dwelling's location will not result in vegetation removal. The proposal is exempt from this code.

13.0 Bushfire-Prone Areas Code – Bushfire Prone Area

This Code only applies to subdivision and a vulnerable or hazardous use. Further consideration regarding bushfire controls (if necessary) will be required as part of the applicable building approval process.

15.0 Landslip Hazard Code - Low Landslip Hazard Band

Sections of the site are mapped within a low landslip hazard band. As the development requires authorisation under the *Building Act 2016* it is exempt under this Code.

16.0 Safeguarding of Airports Code - Airport Obstacle limitation area

The obstacle limitation area for the site is 155.1m AHD. As the development is well below this threshold it is exempt under this Code.

**COMMUNITY ENGAGEMENT**

On 31/08/2022, 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 03/09/2022;
- (b) Making a copy of the proposal available in Council Offices from the 03/09/2022;
- (c) Notifying adjoining property owners by mail on 01/09/2022; and
- (d) Erecting a Site Notice for display from the 01/09/2022.

The period for representations to be received by Council closed on 16/09/2022.

**REPRESENTATIONS**

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

The representation was received from the landowners of 99 Cutts Road (property located to the immediate north of the site). A copy of the representation is appended as an Attachment to this report.

A summary of the representation is provided in Table 1 below along with officer comment.

Concerns raised in representation	Officer comment
Building outside the approved area. Building area setback was a main consideration when purchasing 99 Cutts Road (the 20m setback was made known to us before the purchase. It was measured out while completing a property inspection with real estate. This was the main concern	A frontage is defined under the planning scheme as "...a boundary of a lot which abuts a road." In this case, the northern boundary is assessed a side boundary where the acceptable setback is 10m. A slight setback variation is proposed to this boundary however it can be favourably considered under the performance criteria

<p>and consideration when purchasing the property).</p> <p>Council approvals for subdivision were granted with building setback as pointed out above from the Planning Authority meeting on 08/04/2019.</p>	<p>(refer to <i>Planning Issues</i> section of the report).</p> <p>When the parent property was approved for subdivision in 2019 (PA2019.0017), the subdivision plan included an indicative building envelope for the future dwelling which is shown within the representation. The building envelope although not relevant to the outcome of this application highlighted a 20m setback to the northern internal boundary. This building envelope was not required to be included on the sealed plan and was not a stipulation for future development on the site.</p>
<p>Privacy will be compromised with the new proposed location of the building</p>	<p>The north-eastern section of the dwelling is the only part of the dwelling within the acceptable 10m side setback adjoining 99 Cutts Road. The privacy impact from the proposal is not thought to be unreasonable.</p>
<p>Primary lounge views of Mt Roland will be diminished</p>	<p>The dwelling will have a single storey profile and be located below the building level of 99 Cutts Road.</p> <p>The north-eastern section of the dwelling is the only part of the dwelling within the acceptable 10m side setback adjoining 99 Cutts Road.</p> <p>The performance criteria for 11.4.2 P3 does not specifically consider the loss of views, however the location of the dwelling is not seen to cause an unreasonable loss of amenity to 99 Cutts Road.</p>

Overall, the representation is recommended to be noted by the Planning Authority, however no change to the dwelling as proposed is determined required.

**DISCUSSION**

The application has been assessed by Council staff with an interest in development applications. Feedback received has been included as permit conditions or notes where appropriate.

**FINANCIAL IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

### **CONCLUSION**

The application satisfies the relevant acceptable solutions and performance criteria under the *Tasmanian Planning Scheme – Devonport 2020* and a permit can be issued, subject to conditions.

### **ATTACHMENTS**

1. Application - P A 2022.0154 - 101 Cutts Road [**4.3.1** - 30 pages]
2. Representation - P A 2022.0154 - 101 Cutts Road [**4.3.2** - 7 pages]

## 5 REPORTS

### 5.1 ENVIRONMENT STRATEGY 2019-2024 YEAR FOUR STATUS

Author: **Carol Bryant, Executive Officer**  
Endorser: **Jeffrey Griffith, Deputy General Manager**

#### RECOMMENDATION

That Council receive the update report and note the status of actions listed in the Environment Strategy 2019-2024.

#### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 1.1.1 Lead and actively promote the adoption of practices that support the sustainable use of energy and other natural resources by Council, businesses and the community
- Strategy 1.2.1 Support the conservation and maintenance of biodiversity including coastal landscapes and preservation of areas of remnant vegetation

#### SUMMARY

To report progress of the fourth year of implementation of the Environment Strategy 2019-2024.

#### BACKGROUND

The City of Devonport's 2019-2024 Environment Strategy outlines Council's environmental management activities over a five-year period commencing 2018-19, grouped under three focus areas:

1. Conserving our Biodiversity
2. Healthy Waterways and Coasts
3. Living Lightly

Council adopted the Strategy at the meeting held 23 July 2018 (Min No 131/18 refers).

#### STATUTORY REQUIREMENTS

No statutory requirements relate to this report.

#### DISCUSSION

Achievements for the fourth year of implementation of the Environment Strategy are outlined in the attached document.

A large proportion of activities contained within the Strategy are intended to be ongoing actions across multiple years, or the entire life of the plan. 22 actions have commenced or are ongoing, with a further 13 to commence in future years. Two stand-alone actions have been fully completed.

Key highlights for each focus area are outlined below:

- **Invasive Flora and Fauna:**
  - Ongoing program of weed control activities.

- Community involvement in weed management through Friends of Don Reserve.
- **Biodiversity Health:**
  - Seven community events delivered with 102 participants
  - Installation of nest boxes for the endangered Swift Parrot, in the Kelcey Tier Greenbelt
- **Healthy Waterways and Coasts:**
  - 40 students from Don College participated in Clean up Australia Day to reduce waterway pollution.
- **Energy Efficiency:**
  - Reduction in electricity usage at the aquatic centre due to commencement of LED lighting project and installation of efficient air conditioning units.
  - 61% of Council's 3,350 streetlights changed to LED as of June 2022, up from 50% in June 2021.
- **Water Sensitivity:**
  - Beginning implementation of soil moisture monitoring using IoT (Internet of Things) devices as part of Council's smart city initiative. Soil moisture monitoring will assist with water reduction by ensuring irrigation takes place at the most optimal time and for the most optimal duration.
- **Liveable City:**
  - 26% material recovery (for re-use or recycling) from waste disposal activities in 2021/22, up from 18% in 2020/21.
  - Foreshore revegetation projects along Pardoe Beach and Caroline St (North) delivered to reduce storm tide and flooding risks associated with climate change.

### **COMMUNITY ENGAGEMENT**

Over 300 community members have been involved in various activities to deliver Strategy actions.

### **FINANCIAL IMPLICATIONS**

Operational and capital funds are allocated to Strategy actions during the annual planning process. External funds may be sought throughout the year as the opportunity arises.

### **RISK IMPLICATIONS**

- Environmental Sustainability  
There is a risk that without a strategic approach to managing Devonport's natural assets and addressing key sustainability challenges, it may lead to negative environmental outcomes.

### **CONCLUSION**

The Environment Strategy 2019-2024 reflects the work of the community and Council officers to improve the management of Devonport's natural resources. Progress has been made during the fourth year of the Plan's implementation.

### **ATTACHMENTS**

1. Environment Strategy 2019-2024 Year Four Actions [**5.1.1** - 11 pages]

## 5.2 OPEN SPACE STRATEGY 2022-32

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

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

### RECOMMENDATION

That Council adopt the Open Space Strategy 2022-32.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- |                |   |
|----------------|---|
| Strategy 2.2.1 | Ensure access to Council information that meets user demands  |
| Strategy 3.2.1 | Support tourism through the provision of well designed and managed infrastructure and facilities                                      |
| Strategy 3.3.1 | Improve the City's physical access and connectivity focusing on linkages to and from key access points                                |
| Strategy 4.3.1 | Develop and implement initiatives to preserve and maintain heritage buildings, items and places of interest                           |
| Strategy 1.2.1 | Support the conservation and maintenance of biodiversity including coastal landscapes and preservation of areas of remnant vegetation |
| Strategy 2.1.1 | Apply and review the Planning Scheme as required, to ensure it delivers local community character and appropriate land use            |
| Strategy 2.3.5 | Provide and maintain sustainable parks, gardens and open spaces to appropriate standards  |
| Strategy 3.2.1 | Support tourism through the provision of well designed and managed infrastructure and facilities                                      |
| Strategy 3.2.4 | Promote our natural environment and assets to underpin tourism opportunities  |
| Strategy 4.1.1 | Provide and manage accessible sport, recreation and leisure facilities and programs   |
| Strategy 4.1.3 | Promote passive recreational usage including walking, bike paths, trails, parks and playspaces  |

### SUMMARY

To present the Open Space Strategy 2022-32 to Council for adoption, following a period of public consultation.

### BACKGROUND

Council endorsed a draft Strategy for public consultation in July 2022 (Min 22/145 refers).

The draft Strategy defines six key goals to ensure the future management and investment of our Public Open Space (POS) network aligns with community needs and expectations. The six thematic goals are:

- Equitable and Diverse
- Connected & Accessible
- Safe and Healthy

- Social and Cultural
- Sustainable and Conserved
- Managed and Strategic

The draft Strategy includes analysis and community input and includes 75 actions for delivery over 10 years.

### **STATUTORY REQUIREMENTS**

There are no specific statutory requirements relating to this report.

### **DISCUSSION**

The draft Strategy was published for consultation purposes on Council's online engagement portal, Speak Up Devonport, from 2 to 31 August 2022 inclusive. The consultation period was promoted on Council's social media channels, and an article was published in *The Advocate* promoting the opportunity to provide feedback and input on the proposed Strategy.

Eight responses were received. One response was assessed as having positive sentiment towards the Strategy. The other seven were either general commentary or were raising a specific issue that can be addressed by the implementation of the Strategy or by other Council strategies.

None of the responses were considered to warrant a change to the draft Strategy.

### **COMMUNITY ENGAGEMENT**

The community engagement undertaken is outlined in the discussion contained in this report.

### **FINANCIAL IMPLICATIONS**

The adoption of the Strategy does not have any immediate financial implications. The action plan includes activities that require capital and operational budget allocations.

These can be considered during respective budget deliberations by Council each year. External funding may be available for some actions.

### **RISK IMPLICATIONS**

- Corporate and Business  
The Strategy and action plan strongly aligns with Council's Strategic Plan 2009-2030.
- Asset & Property Infrastructure  
The draft Strategy Action Plan proposes significant new investment in Devonport POS. The delivery of these actions will need to be aligned with Council's Strategic Asset Management Plan and Long Term Financial Plan.
- Environmental Sustainability  
The draft Strategy identifies that Devonport's POS has high environmental value and the protection and enhancement of these spaces is important.

### **CONCLUSION**

Council endorsed a draft Strategy for public consultation in July (Min 22/145 refers).

Eight responses were received during the public consultation period. No changes to the draft Strategy were required as a result of the consultation

Adoption of the Strategy and delivery of the action plan strongly aligns with Council's Strategic Plan 2009-2030.

## **ATTACHMENTS**

1. Devonport Open Space Strategy - For adoption [**5.2.1** - 102 pages]

## 5.3 FINANCIAL ASSISTANCE SCHEME ROUND ONE 2022/2023

Author: **Danielle O'Brien, Administration and Project Officer**

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

### RECOMMENDATION

That Council receive and note the Financial Assistance Scheme report and approve the Major and Minor Grants and Rates Remissions for Round One of the 2022/2023 Community Financial Assistance program as follows:

#### Major Grants

Devonport Gymnastics Club	\$6,000.00
Spreyton Cricket & Community Club	\$4,254.50
Devonport Apex Regatta Association Inc	\$23,465.00
Devonport City Soccer Club	\$15,000.00

#### Minor Grants

ParaQuad Association	\$1,152.00
East Devonport Neighbourhood House	\$3,000.00
Scouts Tasmania	\$4,760.00

#### Rates Remissions

Mersey Community Care Association	\$5,448.77
Cancer Council of Tasmania Inc.	\$1,591.77
Mersey Rowing Club	\$1,631.72
Girl Guides Association of Tasmania (Devonport)	\$1,454.15
East Devonport Tennis Club Inc	\$1,045.76
Pathway to Life	\$1,708.95
Mersey District Scout Association	\$3,247.53
Van Diemen Light Railway Society Pty Ltd T/A as Don River Railway	\$7,580.44

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

### SUMMARY

This report presents the outcomes of the Community Financial Assistance Working Group deliberations and seeks endorsement of the Group's recommendations in relation to submissions for Round One of the 2022/23 grant program.

### BACKGROUND

Through the provision of its Financial Assistance Scheme, Council supports projects, programs and activities developed for the benefit of Devonport's residents and visitors. This financial year, five (5) areas of assistance are available as follows:

- Major Grants/In-Kind Grants – provide \$5,000 - \$25,000 support for Health and wellbeing, Our culture, Our environment, Festivals and Events.

- Minor Grants – provide up to \$5,000 to organisations to deliver programs that enhance Health and wellbeing, Our culture, Our environment, Festivals and Events.
- Rate Remissions – provide rate support for social, cultural, environmental, sport and recreational initiatives and events held that attract locals and visitors creating commercial benefits for the City.
- Donations – provide assistance to groups, organisations or individuals within the City who are not eligible for sponsorship under any other Financial Assistance Program.
- Individual Development Grants – provide support for individuals, groups or teams who are performing, competing, or presenting at national or international competitions, conferences or events.

The Community Financial Assistance Working Group assess applications against guidelines for each area of assistance. Members include:

- Mayor Rockliff;
- Councillor Hollister;
- Councillor Murphy;
- Carol Bryant – Community Services Manager; and
- Geoff Dobson – Convention and Art Centre Director.

### **STATUTORY REQUIREMENTS**

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

- (1) *A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.*
  - (1A) *A benefit provided under subsection (1) may include –*
    - (a) *In-kind assistance; and*
    - (b) *Fully or partially reduced fees, rates, or charges; and*
    - (c) *Remission of rates or charges under Part 9.*
- (2) *The details of any grant made or benefit provided are to be included in the annual report of the council.*

The details of awarded grants will be reported in Council's 2022/2023 Annual Report.

### **DISCUSSION**

The Community Financial Assistance Working Group met on 5 September 2022 to assess minor and major grant submissions and rate remission applications.

Major and Minor Grant applications are assessed against the following criteria:

1. Demonstrate need and benefit.
2. Alignment to Council's priorities as outlined in each category (see below for categories).
3. Evidence of community support, partnership or consultation.
4. Increasing self-sufficiency of organisations and/or project outcomes.
5. Demonstrate good value for money which shows the contribution of the organisation (and/or others) applying to the project or activity through cash and/or in-kind; and purchase of goods and services from local businesses.
6. Capacity of the applicant (and/or partners) to complete the project.
7. Evidence that the organisation and/or the project supports inclusive participation and/or promotes equality.

8. Evidence that the organisation (and/or the project) demonstrates sound environmental practices.

### Major Grants

Ten applications were received under the Major Grants category. The successful applications recommended by the Working Group to receive support, subject to any conditions as outlined, are listed below.

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
Devonport Gymnastics Club	Safety Mats	\$9,963.18	\$6,000.00	\$6,000.00
Spreyton Cricket & Community Club	Install Solar power system at clubrooms	\$8,509.00	\$7,500.00	\$4,254.50
Devonport Apex Regatta Association Inc	Devonport Apex Regatta	\$93,860.00	\$25,000.00	\$23,465.00
Devonport City Soccer Club	Media Tower	\$44,238.00	\$15,000.00	\$15,000.00
			<b>Total</b>	<b>\$48,719.50</b>

Unsuccessful Applicants: Fair Flight Foundation, The Allstars Gymnastics Club, Mersey Valley Pony Club, Loaves and Fishes, East Devonport Bowls Sporting and Community Club and Strike It Out Inc.

### Minor Grants

Three applications were received under the Minor Grants category. The following initiatives are recommended to receive support, subject to any conditions as outlined.

Organisation	Project Description	Total Value of Project	Amount Requested	Amount Recommended
ParaQuad	Wheelchair Sports Carnival	\$1,152.00	\$1,152.00	\$1,152.00
East Devonport Neighbourhood House	Making Fresh Produce Last Longer	\$6,900.00	\$5,000.00	\$3,000.00
Scouts Tasmania	22nd Australian National Rover Moot, Apple Isle Moot	\$4,760.00	\$4,760.00	\$4,760.00
			<b>Total</b>	<b>\$8,912.00</b>

### Rate Remissions

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

Organisation	Property Address	Rates payable	Amount Recommended
Mersey Community Care Association Inc	167 Steele Street DEVONPORT	\$5,448.77	\$5,448.77
Cancer Council Tasmania	Suite 2, 45 Best Street DEVONPORT	\$1,591.77	\$1,591.77
Mersey Rowing Club Inc.	52 River Road EAST DEVONPORT	\$1,631.72	\$1,631.72
Girl Guides Tasmania Devonport	56a Forbes Street DEVONPORT	\$1,454.15	\$1,454.15
East Devonport Tennis Club	48-50 Wright Street EAST DEVONPORT	\$1,045.76	\$1,045.76
Pathway to Life		\$1,708.95	\$1,708.95

Organisation	Property Address	Rates payable	Amount Recommended
Mersey District Scout Association - Fulton Park	342 Pumping Station Road FORTH	\$3,247.53	\$3,247.53
Van Diemen Light Railway Society t/a Don River Railway	24 Forth Road DON	\$7,580.44	\$7,580.44
<b>Total</b>			<b>\$23,709.00</b>

Unsuccessful Applicant: Respect group Limited.

### COMMUNITY ENGAGEMENT

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

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

- Past and present Special Interest Group members;
- Strategic Special Committee members;
- Individuals and Organisations who had registered (via the Council website) to receive information on Council's Financial Assistance Scheme; and
- 2015-2022 grant recipients

### FINANCIAL IMPLICATIONS

The approved grants will be funded through the 2022/2023 Community Financial Assistance budget allocation.

The 2022/2023 Financial Assistance Major Grants allocation is \$75,000 with Round One expenditure amounting to \$48,719.50, leaving a balance of \$26,280.50.

The 2022/2023 Financial Assistance Minor Grants allocation is \$65,000 with the Round One expenditure totalling \$8,912.00, leaving a balance of \$56,088.00.

The 2022/2023 Financial Assistance Rates Remissions allocation is \$30,000. The 2022/2023 expenditure totals \$23,709.09. In addition to this, Council approved at the 27 June 2022 meeting a rate remission for the Devonport Country Club of 40% of the general rate payable on 66 Woodrising Avenue for the 2022/2023 year, being \$11,199.87. Endorsing the rate remissions applications received through Financial Assistance fully utilises the allocated 2022/23 budget.

### RISK IMPLICATIONS

There is a risk that organisations that have applied and have been unsuccessful may be critical of Council's decision in relation to the allocation of the funds. Note that the allocation of funds is based on an assessment across a set of guidelines and eligibility in keeping with Council's policies and strategies. Each application is scored using a weighted matrix.

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

### CONCLUSION

The 2022/2023 Financial Assistance Working Group recommends that Council approve the Round One Major and Minor Grants to the value of \$57,631.50 and Rate Remissions to the Value of \$23,709.00.

**ATTACHMENTS**

Nil

## **5.4 CODE OF CONDUCT DETERMINATION REPORT - MR VELLACOTT VS CR ROCKLIFF**

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That Council notes the Code of Conduct Panel Determination Report made on 9 September 2022, in relation to a complaint by Mr Robert Vellacott against Mayor Annette Rockliff.

### **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**

To present the Determination Report of the Local Government Code of Conduct Panel, received by the General Manager.

### **BACKGROUND**

In accordance with section 28ZK of the *Local Government Act 1993* (the Act), the Code of Conduct Panel has made a determination in relation to a Code of Conduct complaint lodged on 8 April 2022 by Mr Robert Vellacott against Mayor Annette Rockliff.

### **STATUTORY REQUIREMENTS**

In accordance with section 28ZK(4) of the Act, the General Manager is required to table the Report at the first meeting of Council at which it is practicable to do so, and which is open to the public.

### **DISCUSSION**

The complaint alleged that during the Devonport City Council Annual General Meeting held on 8 November 2021, Mayor Rockliff, in allowing Councillor Perry to ask a question of Mr Vellacott whilst he was moving his Notice of Motion 7.6 on the Agenda for the Annual General Meeting (Item 6), amounted to breaches of Part 1(1), (2), (3), (4), Part 7(1), and Part 8(7).

In accordance with section 28ZE of the Act, the Code of Conduct panel investigated the complaint and the complaint has been dismissed.

### **COMMUNITY ENGAGEMENT**

No community engagement was required in preparing this report.

### **FINANCIAL IMPLICATIONS**

Council is required to pay for the costs associated with code of conduct complaints, the actual costs are unknown at this point.

### **RISK IMPLICATIONS**

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

**CONCLUSION**

It is recommended that Council note the Determination Report.

**ATTACHMENTS**

1. DETERMINATION REPORT - Mr Robert Vellacott Vs Mayor Rockliff [**5.4.1** - 4 pages]

## 5.5 TENDER REPORT CONTRACT CT0321 STEELE STREET FOOTPATH RENEWAL

Author: **Brad Perera, City Engineer**

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

### RECOMMENDATION

That Council in relation to Contract CT0321 Steele Street Footpath Renewal:

- a) award the contract to Walters Contracting Pty Ltd for the tendered sum of \$330,133 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$61,193 (ex GST);
- c) note utility and other costs for the project are \$52,087 (ex GST); and
- d) note a construction contingency of \$49,520 (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
- Strategy 2.3.3 Provide and maintain stormwater infrastructure to appropriate standards

### SUMMARY

This report seeks Council's approval to award contract CT0321 Steele Street Footpath Renewal to Walters Contracting Pty Ltd.

### BACKGROUND

This report considers tenders received for "Steele Street Footpath Renewal". The contract includes the delivery of two projects with separate budget allocations but are required to be completed together.

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

- Stormwater pipe upgrades on the north side of Oldaker Street, west of Rooke Street
- Kerb and channel renewal
- Footpath and driveway access renewal

### 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	Walters Contracting	\$330,133
2	Treloar Transport	\$349,138
3	Hardings Hotmix	\$413,969

As highlighted in Table 1, Walters Contracting (\$330,133) is the lowest priced tender.

The Tender Planning and Evaluation Committee has considered each of the selection criteria and Walters Contracting Pty Ltd has ranked highest overall and therefore offers Council the best value for money.

### COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in The Advocate Newspaper on 21 August 2022 and tenders were also advertised on Council's website.

### FINANCIAL IMPLICATIONS

The capital expenditure budget includes two allocations for components of the project, as shown in table 2.

No.	Project	Allocation (ex GST)
1	CT0321 Steele Street Footpath Renewal (2021/22)	\$174,000
2	CS0111 Steele Stormwater catchment upgrades (2022/23)	\$360,000
	<b>Total</b>	<b>\$534,000</b>

The breakdown of the forecast expenditure for this project is summarised below in table 3.

**TABLE 3**

No.	Tender	Budget (ex GST)
1	Contract CT0321	\$330,133
2	Project design, management, administration	\$61,193
3	Utilities and Provisional items	\$52,087
4	Construction contingency 15%	\$49,520
	<b>Total</b>	<b>\$492,933</b>

The forecast expenditure for this project is within the available budget allocation. The forecast saving on this project is \$41,067.

**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*.

A 15% contingency is required for this project as the risk of unforeseen variations is moderate. Unidentified underground services have been encountered on recent nearby projects and is a risk at this location.

**CONCLUSION**

Taking into account the selection criteria assessment and the tendered rates, the Tender Planning and Evaluation Committee has determined that Walters Contracting Pty Ltd has achieved the highest total score and is therefore most likely to offer "best value" in relation to Contract CT0321 Steele Street Footpath Renewal.

**ATTACHMENTS**

Nil

## **5.6 TENDER REPORT CONTRACT CP0226 MODERN BURIAL SYSTEM STAGE 3**

Author: **Shannon Eade, Project Management Officer**  
Endorser: **Matthew Skirving, Executive Manager City Growth**

### **RECOMMENDATION**

That Council, in relation to Contract CP0226, Mersey Vale Cemetery Burial System Stage 3, determine to:

- a) award the contract to Hardings Hotmix Pty Ltd for the tendered sum of \$874,382 (ex GST);
- b) note project management costs for the project are estimated at \$15,000 (ex GST); and
- c) note a contingency allowance of \$109,300 (ex GST).

### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

Strategy 2.3.5 Provide and maintain sustainable parks, gardens and open spaces to appropriate standards

### **SUMMARY**

This report seeks Council's approval to award Contract CP0226, Mersey Vale Cemetery Burial System Stage 3 to Hardings Hotmix for a sum of \$874,382.

### **BACKGROUND**

This report considers tenders received for "Mersey Vale Memorial Park Stage 3 of 9 of the Modern Burial System" listed within the 2022/23 capital expenditure budget.

The Mersey Vale Memorial Park Master Plan 2011-2030 identified the need to secure the long-term future of the Lawn Cemetery either through expansion of the site or introduction of alternative interment options. The modern burial system is a more space efficient method of burials, enabling plots to be spaced more closely. The system also creates some operational efficiencies for excavation and reinstatement of graves.

This tender provides for the next installation (Stage 3) of the Modern Burial System. This stage, in the north-west corner of the cemetery will create 300 additional burial plots. Based on current burial rates, this will cater for 3-4 years of burials, although some plots are reserved many years in advance prior to use. An additional parking area is also included in this project.

### **STATUTORY REQUIREMENTS**

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

### **DISCUSSION**

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

Tenders were received from 1 company. The tender received was conforming and is summarised in Table 1.

**TABLE 1**

<b>No.</b>	<b>Tender</b>	<b>Status</b>	<b>Tender Price (ex GST)</b>
1	Hardings Hotmix	Conforming	\$ 874,382

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

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

As only one tender has been received for this project, a comparative evaluation of price-based components across tender submissions is not possible. However, the tendered price and unit rates are comparable to earlier stages of the project, providing some demonstration of fair value. The tenderers responses to the other selection criteria were satisfactory and therefore it is recommended that Council accept the tender from Harding Hotmix Pty Ltd.

The Tender Planning and Evaluation Committee minutes are available for Councillors to view, upon request.

### **COMMUNITY ENGAGEMENT**

A public advertisement calling for tenders was placed in The Advocate Newspaper on 9 July 2022 and tenders were also advertised on Council's website.

### **FINANCIAL IMPLICATIONS**

The 2022/23 capital expenditure budget includes an allocation for the "Mersey Vale Cemetery Modern Burial System Stage 3" project of \$1,100,000.

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

**TABLE 3**

<b>No.</b>	<b>Tender</b>	<b>Budget (ex GST)</b>
1	Contract CP0226	\$874,382
2	Project management/administration	\$15,000
3	Construction contingency	\$109,300
	<b>TOTAL</b>	<b>\$998,682</b>

### **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*.

The contingency allowance for this project is 12.5% of the contract price. The risk of unforeseen variations is low however, ground conditions is a risk to the project budget.

**CONCLUSION**

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Hardings Hotmix meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CP0226, Mersey Vale Cemetery Burial System Stage 3.

**ATTACHMENTS**

Nil

## **5.7 PROJECTS CARRIED FORWARD FROM 2021/22 CAPITAL WORKS PROGRAM**

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

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

### **RECOMMENDATION**

That Council adopt the proposed amendments to the 2022/23 Capital Works Program, including:

1. The proposed carry forward projects from the 2021/22 Capital Works Program, totalling \$15,562,037
2. The reallocation of \$145,941 in funding as outlined in the report; and
3. Recognise an overall saving of \$785,984 from the 2021/22 Capital Works Program.

### **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 4.1.3 Promote passive recreational usage including walking, bike paths, trails, parks and play spaces

### **SUMMARY**

This report is provided to outline the proposed amendments to Council's Capital Works Program, recognising continuing projects, cost reallocations and savings on capital projects as at 1 July 2022, following the completion of the annual financial statements.

### **BACKGROUND**

Council has a number capital projects that were not complete as at 30 June 2022. These projects have either commenced and are planned to continue beyond the end of financial year or have not commenced due to resourcing or contractor delivery capacity constraints. Some savings have been made on projects completed prior to 30 June 2022.

### **STATUTORY REQUIREMENTS**

Council needs to comply with the provisions of the *Local Government Act 1993* in relation to its financial management activities. The identification of the carry forward projects and the provision of additional funding where necessary will ensure that the estimates for 2022/23 are recorded and reported upon accurately during the year.

### **DISCUSSION**

Council spent \$12.96M on capital works during the 2021/22 financial year from a total estimated program value of \$29.31M. A reconciliation of the Capital Works Program for 2021/22 is as follows:

	2021/22 Capital Funding			2021/22 Capital Expenditure		
	CF to 2021/22 Program	2021/22 Budget Allocation inc. Adjustments*	2021/22 Total Budget	Actual	To be CF to 2022/23	Unspent / Program Savings
Public Open Space	397,012	1,197,857	1,594,869	470,710	1,208,717	-84,558
Transport	3,150,670	5,794,000	8,944,670	4,135,250	4,099,542	709,877
Stormwater	894,482	1,050,000	1,944,482	717,590	1,082,884	144,008
Facilities	900,704	1,282,163	2,182,867	1,209,736	1,140,749	-167,619
Plant & Fleet	230,501	598,600	829,101	345,695	482,832	574
Office and Equipment	131,259	1,057,000	1,188,259	501,101	364,976	332,182
Living City	8,943,391	3,680,000	12,623,391	5,579,535	7,182,337	-138,481
<b>Total</b>	<b>14,648,019</b>	<b>14,659,620</b>	<b>29,307,639</b>	<b>12,959,618</b>	<b>15,562,037</b>	<b>785,984</b>

\*Budget adjustments include externally funded projects added to the program during 2021/22.

There was a saving of \$785,984 on the capital budget in 2021/22, taking into account proposed cost reallocations to relevant projects as described later in the report.

These savings have generally been delivered via proactive cost control management at individual project level.

The total carry forward amount of \$15,562,037 is the balance of funding remaining in the 2021/22 capital program.

## COMMUNITY ENGAGEMENT

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

## FINANCIAL IMPLICATIONS

The carried forward amounts attributed to individual projects will be updated in the 2022/23 Capital Program in accordance with the following table:

Project Number	Project	Balance C/F	Additional funds	2022/23 Budget	Updated budget 2022/23	Comment
<b>Open Space &amp; Recreation</b>						
CP0129	Don River Rail Trail - land purchase	36,072	-		36,072	Process underway
CP0184	Don River Rail Trail - construction	144,401	10,000		154,401	Construction underway
CP0190	Seat Replacements William St Fourways	-	10,000		10,000	Construction pending
CP0203	Highfield Park nature play area	2,884	1,000		3,884	Complete
CP0204	Horsehead Creek - RV dump point relocation	38,820	-		38,820	Construction underway
CP0208	Coastal Erosion Protection - Coles Beach and Don Heads	86,613	-		86,613	Construction underway
CP0209	Aquatic Centre - Access Improvements to Shaded Seating at outdoor pool	98,189	10,000		108,189	Construction underway
CP0210	Mungala-Langslow path link Improvements	80,803	-		80,803	Design underway
CP0214	Mersey Bluff signage renewal	17,699	-		17,699	Design underway
CP0216	Don Reserve path renewal - Jiloa Way to Valkyrie Close	91,394	-		91,394	Construction pending
CP0217	Surf Club boat ramp renewal (East Ramp)	53,848	-		53,848	Construction underway
CP0218	Bluff Skate Park - soft fall renewal	2,163	-		2,163	Complete

## 5.7 Projects Carried Forward from 2021/22 Capital Works Program

Project Number	Project	Balance C/F	Additional funds	2022/23 Budget	Updated budget 2022/23	Comment
CP0219	New pedestrian bridge - Figure of Eight Creek - Woodrising to Maidstone Park	467,450	-		467,450	Off-site manufacturing underway
CP0220	Bluff Skate Park - new shade shelter	21,777	-		21,777	Off-site manufacturing underway
CP0221	Victoria Parade - boat ramp lighting	7,247	-		7,247	Construction underway
CP0222	East Foreshore Interpretive Signage	-	2,500		2,500	In-kind support to external project
CP0224	Maidstone Park safety netting	25,857	-	23,143	49,000	Construction pending

Buildings & Facilities						
CB0098	Devonport Football Club - new changerooms	-	85		85	Complete
CB0102	Horsehead Creek - New toilet block & link path	99,737	17,000		116,737	Construction underway
CB0104	Works Depot - Oil store shed	41,599	9,000		50,599	Off-site manufacturing underway
CB0106	Aquatic Centre - Pool hall concourse drainage grate	-	6,000		6,000	Complete
CB0107	Payne Avenue toilet block	241,597	-		241,597	Design underway
CB0108	Aquatic Centre - Wet change Rm silicon replacement	3,226	1,000		4,226	Complete
CB0110	BSMC - Roof replacement on old building	35,668	-		35,668	Construction pending
CB0111	Aquatic Centre - Internal Painting	34,479	-		34,479	Construction underway
CB0112	BSMC - Reception Counter	14,000	-		14,000	Construction pending
CB0114	Waste Transfer Station - waste and resource recovery bill readiness project	563,134	-	450,000	1,013,134	Design underway
CB0115	BSMC - Auto door between café and	2,271	-		2,271	Complete
CB0117	Little Athletics Storage shed	70,000	-		70,000	Construction pending
CB0118	EDRC Covid test site works	1,954	-		1,954	Complete

Transport						
CT0169	Formby Road & Best Street intersection safety improvements	91,351	-		91,351	Construction underway
CT0275	State Vehicle Entry Project	1,437,118	-	500,000	1,937,118	Design underway
CT0289	Coastal Pathway contribution - part 2	828,321	-	442,000	1,270,321	Construction underway
CT0307	Street light provision	19,970	-		19,970	Design underway
CT0310	Tugrah Road traffic management	452,425	-		452,425	Design underway
CT0311	Fenton Way pedestrian improvements	39,920	-		39,920	
CT0317	Durkins Road - seal part of gravel section	85,601	-		85,601	Complete
CT0319	Transport minor works	13,576	-		13,576	
CT0320	Parking infrastructure renewal	24,950	-		24,950	Construction pending
CT0321	Steele Street footpath renewal - Wenvoe to Formby - south side	154,913	-		154,913	Construction pending
CT0322	William Street renewal - Valley to Middle	859,022	-		859,022	Construction pending

5.7 Projects Carried Forward from 2021/22 Capital Works Program

Project Number	Project	Balance C/F	Additional funds	2022/23 Budget	Updated budget	Comment
CT0324	North Caroline Street Kerb renewal	-	4,356		4,356	Complete
CT0325	North Fenton Street renewal - Oldaker to Parker	88,019	-		88,019	Construction underway

Stormwater						
CS0081	John Stormwater Catchment Stage 1	195,910	-		195,910	Design underway
CS0097	Church street stormwater improvements	334,214	-		334,214	Design underway
CS0099	Pipe renewal - 23 Steele St	58,210	-		58,210	Construction pending
CS0100	Highfield SW catchment Upgrade - Stage 1	132,624	-		132,624	Construction pending
CS0103	Stormwater pollution control measures	47,832	45,000		92,832	Construction pending
CS0107	Tugrah Road - Rundle to Stony Rise - pipe renewal	73,186	-		73,186	Design underway
CS0108	North Fenton Street - pipe renewal	149,451	-		149,451	Construction underway
CS0109	Hiller Street - pipe renewal	46,457	-		46,457	Complete

Plant and fleet						
CF0031	Fleet Replacement program 2021-22	182,453	-		182,453	Long wait on vehicles ordered
CF0032	Hire Plant Replacement 2021-22	233,300	-		233,300	Long wait on equipment ordered
CF0033	Non Hire Plant Replacement 21-22	67,079	-		67,079	Long wait on equipment ordered

Other Equipment						
CE0012	Office and Equipment 2021-22	163,936	30,000		193,936	Ongoing
CC0017	IT - Renewals & upgrades 2021-22	70,618	-		70,618	Ongoing
CC0018	IT- New 2021-22	100,422	-		100,422	Ongoing

Living City						
CP0185	Waterfront Construction	5,189,337	-		5,189,337	Construction underway
CP0198	Waterfront Precinct - Lighting Feature	1,993,000	-		1,993,000	Design underway

<b>Total all asset classes</b>		<b>15,416,096</b>	<b>145,941</b>			
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As noted in the table above, there is \$145,941 of funding required to be reallocated to projects that have exceeded their original funding allocations. These amounts are required for commitments already made or forecast costs to completion on projects underway.

Once these adjustments have been a made, a saving of \$785,984 is confirmed for the 2021/22 capital works program.

Council's adopted capital expenditure budget for 2022/23 is \$11,476,000, with the listed carried forward amounts and the additional funding items the total capital budget for 2022/23 will be \$27,038,037.

**RISK IMPLICATIONS**

No risks have been identified in relation to this report. The carry forward capital projects are in line with information previously reported to Council. The additional funding allocations to projects is more than compensated by the unspent/savings identified elsewhere in the overall program.

**CONCLUSION**

Projects carried forward from the 2021/22 capital works program, including those where budget adjustments are required, can be accommodated within the existing program budget allocations, resulting in an overall saving of \$785,984.

A total of \$15,562,037 is proposed to be carried forward from the 2021/22 capital works program to the 2022/23 program, resulting in a total capital budget for 2022/23 of \$27,038,037.

**ATTACHMENTS**

Nil

## 6 INFORMATION

### 6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

#### RECOMMENDATION

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

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.

<b>Date</b>	<b>Description</b>	<b>Purpose</b>
12/09/22	RANT Arts	Annual update
	LGAT General Meeting	Discussion regarding agenda items for the September 16 meeting
	Australia Day Community Award	Discussion regarding the possible inclusion of additional award
	Waterfront Park Naming	Discussion regarding the process for naming the area currently known as 'Waterfront Park'
	Oldaker Street/Fenton Way Development	Discussion regarding proposed development
	General Update	An update on operational and land use planning matters

## 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 August and 20 September 2022:

- Council meetings and workshops
- Council committee and working group meetings
- 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: Tasmania Talks (x2), ABC Radio (x2), Channel 7 News, Darren Kerwin (7AD)
- Attended morning tea at Home Hill
- Hosted an information session for people considering nominating in the upcoming elections
- Attended Cradle Coast Authority Board meeting
- Attended Local Government Association General Management Committee meeting (x2)
- Attended the official welcome of the first Rex flight back into Devonport
- Attended the announcement of TasPorts first tender for the East Devonport port redevelopment
- Attended several events related to the Australian Indoor Bowls Championships
- Attended the AGM of the Melrose Hall Management Committee
- Met with members of the Devonport Headspace team
- Attended DCCI breakfast meeting
- Met with Rodney Croome and Vicki Russell to discuss advancing their project
- Attended the SEGRA Conference hosted by Devonport Council and Cradle Coast Authority
- Attended the Devonport Warriors Junior Awards dinner
- Attended the opening of a new gallery exhibition
- Officially opened the 93rd Devonport Eisteddfod
- Hosted a visit from Grade 6 students from East Devonport Primary School
- Presented trophies etc to the winners of the Tasmanian Open Squash Championship

- Attended Arboretum Committee meeting
- Welcomed participants to the seminar A Grieving Community
- Participated in two Community Conversations hosted by the National Mental Health Commission
- With the General Manager, met with Senator Anne Urquhart
- Attended General Meeting of the Local Government Association of Tasmania

**ATTACHMENTS**

Nil

## 6.3 GENERAL MANAGER'S REPORT

Author: **Matthew Atkins, General Manager**

### RECOMMENDATION

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

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.8.2 Ensure access to Council information that meets user demands

### SUMMARY

This report provides a summary of the activities undertaken by the General Manager, between 17 August and 20 September 2022. It also provides information on matters that may be of interest to Councillors and the community.

### BACKGROUND

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

### STATUTORY REQUIREMENTS

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

### DISCUSSION

#### 1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Attended a meeting of the Hillcrest Affected Area Recovery Committee.
- 1.4. Participated in an interview with Professor Richard Eccleston as part of the research UTas are undertaking on behalf of the Board for the Future of Local Government Review.
- 1.5. Presented a keynote address at the SEGRA conference on LIVING CITY and Devonport's transformational journey.
- 1.6. Attended Day 1 of the SEGRA conference and evening dinner.
- 1.7. Participated in the plenary workshop as a member of the Infrastructure and Service Delivery focus group for the Future of Local Government Review. Five focus groups have been established with a cross section of members both within and external to local government to assist the Board in refining options within the next phase of their review. The focus group will meet a further two times between now and the end of the year.

- 1.8. Along with the General Manager of Latrobe Council, met with Veronica Schilling, the recently appointed CEO of the Dulverton Waste Management Authority.
- 1.9. Met with an interested community member regarding the future of the Spirit of Devonport Ferry.

2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Along with the Mayor and other staff, met with Rodney Croome and Vicki Russell regarding the "Steps in History" project, which was endorsed by Council earlier in the year and is included in the 2022/23 Annual Plan. Following the meeting an MOU is being established to outline Council's role in the project.
- 2.2. Met with Tim Hess and Stuart Ritchie for an update on the establishment of a berth for fishing vessels and the associated redevelopment of the Mersey Yacht Club and surrounds as proposed during the last Federal Election campaign. A letter of support has been provided to assist in attempts to attract the necessary external funding.

3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Along with the Mayor, met with the Local Government Board established by the State Government to undertake the Future of Local Government Review. The meeting was an opportunity to present details of Devonport City Council's Phase 2 submission as endorsed at Council's August meeting. The submission is available for viewing on Council's website.
- 3.2. Attended a Board meeting of the Tasmanian branch of Local Government Professionals.
- 3.3. Attended (virtually) the announcement and awards ceremony for the Local Government Professionals Management Challenge National Final held in Adelaide. As State Champion, Devonport's paranapple pioneers participated in the national competition and were awarded second place, behind the Western Australian team.

Devonport has regularly competed in this highly regarded professional development event and although having previously made it to the national final, has never before achieved a placing.

- 3.4. Attended the Cradle Coast General Managers meeting.
- 3.5. As Tasmanian Director attended a National Board meeting of Local Government Professionals Australia.
- 3.6. Along with the Deputy Mayor attended the Owners Representative meeting of the Cradle Coast Authority in Burnie.
- 3.7. Met with the recruitment sub-committee, of the Dulverton Waste Management Authority Owners Representatives to progress the appointment of two new Board Directors.
- 3.8. Attended the LGAT General meeting, held at the paranapple centre. At the meeting long serving Devonport Councillors Annette Rockliff, Lynn Laycock and Leon Perry were recognised with awards for their outstanding service.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. Along with the Mayor, met with Senator Anne Urquhart to discuss concerns that had been raised with the Senator about a local traffic matter.

5. ANNUAL PLAN PROGRESS

5.1. Highlights from the 2022/23 Annual Plan as at 31 August 2022 are detailed below:

- Monitoring program in place for the 100 swift parrot nest boxes installed in the Kelcey Tier Greenbelt.
- Plumbing Inspection Guidelines drafted and being reviewed by relevant staff.
- Initial investigations into approval and consent requirements for an ocean pool at Bluff Beach have commenced.
- Consultant appointed and working committee formed to develop a feasibility study and outline future operational models to preserve and enhance Home Hill.
- Council resolved to commence detailed design and options investigation for a new multi-sport indoor stadium facility for Devonport.
- Project Steering Group for Community Health & Well Being Strategy established, a consultant has been appointed and project plan developed.
- Food licence renewal and street trading electronic forms sent out in August, and increased utilisation of Rates Portal demonstrates increased service delivery on digital platforms.

A full update is available on Council's website at [Your Council Dashboards | Devonport City Council](#)

Below is a graphical representation of the current status of actions:



**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 risk that may result in an issue for Council is likely to be subject of a separate report to Council.

**CONCLUSION**

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

**ATTACHMENTS**

1. Current and Previous Minutes Resolutions - September 2022 [**6.3.1** - 1 page]

## 6.4 COMMUNITY SERVICES REPORT - JULY AND AUGUST 2022

Author: **Carol Bryant, Community Services Manager**

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

### RECOMMENDATION

That Council receive and note the Community 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 operational highlights of Council's Community Services Department for July and August 2022.

### BACKGROUND

Council's Community Services Department includes:

- Community Development
- Environmental Sustainability
- Sport and Recreation Development
- Events and Marketing

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

#### 1. COMMUNITY DEVELOPMENT

##### 1.1. Devonport Volunteering Working Group

To assist in the implementation of the Devonport Community Volunteer Sustainability Strategy 2021-2026, Council Officers have drafted a Terms of Reference and established a Devonport Volunteering Working Group (DVWG).

The purpose of the DVWG is to review and update the Action Plan in the Devonport Community Volunteering Sustainability Strategy 2021-2026; develop initiatives, based on the Action Plan for the DVWG to undertake.

Membership of the DVWG will include Volunteering Tasmania and organisations involved in the development of the strategy. The first meeting of the DVWG is in September.

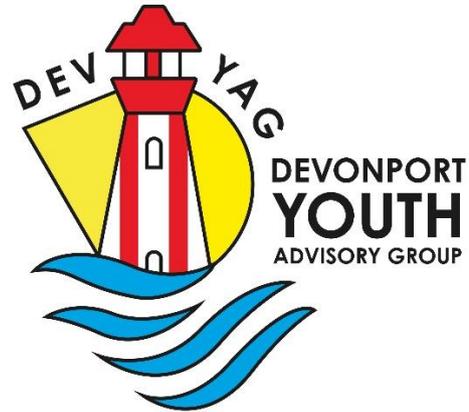
##### 1.2. Council's Volunteering Policy and Procedures

The Community Services team is working with volunteer supervisors across Council to review and update Council's management policy, procedures and forms relating to volunteering with Council. This includes the development of a Volunteering Handbook for new and prospective volunteers to understand what is expected of them, and what they can expect from Council when volunteering.

### 1.3. Youth Advisory Group

The Devonport Youth Advisory Group (DEVYAG) have developed a logo for the group and now have branded polo shirts and hoodies. These will be worn at their meetings, external events and Council Functions.

The Group have an email address: [devyag@devonport.tas.gov.au](mailto:devyag@devonport.tas.gov.au) a vision statement and are working on updates to the youth section on Council's Website.



*Devonport Youth Advisory Group in their branded clothing and the DEVYAG Logo*

The group have been busy planning their music event and one of the next steps is to ask singers, dancers and musicians to audition for the chance to perform at the event. An outcome from an initial brainstorming session held with the members of DEVYAG indicated that there is a 'stigma' around the Music and Arts scene through the eyes of our youth.

### 1.4. Festival of Learning

The Community Services team assisted the Learning Communities Steering Group to deliver the annual Festival of Learning in September. The theme for the Festival of Learning 2022 is 'Stay Connected'. Activities were aimed at the following target audiences: The Early Years; The School Years; The Working Years; The Senior Years; and Women. Council sought Expressions of Interest (EOI) during July from service providers for activities under the following categories:

- Wellbeing and self-care
- Culture and diversity
- Environment and sustainability
- The arts
- The world of work
- STEAM – science, technology, engineering, arts, and mathematics
- Food, nutrition, and cooking
- Sport, recreation, and active living
- Life skills

A total of 55 EOIs were received from 17 organisations for over 150 activities to be held over the month of September.

To promote these activities, Council Officers prepared a booklet of events, along with an accessible version, and listed events on the Living + Learning Devonport website and What's On Devonport. A media release was prepared to launch the Festival of Learning, along with Facebook posts.



*Festival of Learning Calendar of events*

### 1.5. Seniors Week

Council is seeking expressions of interest from organisations interested in hosting activities to create a weeklong calendar of events during Seniors Week 17-23 October.

### 1.6. Living Lightly Festival

Council officers are working with the Devonport Community House to plan the 2022 Living Lightly Festival. The event will be held at the Devonport Community Garden at the end of October tying in with Devonport Food Festival.

### 1.7. Community Services Newsletter

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

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

Recent editions can be found on the Council website located at: <https://www.devonport.tas.gov.au/live/your-community/community-services/newsletter/>.

A form to subscribe to the newsletter can also be found at this address. The newsletter has proved to be a popular method of communication, with Council receiving feedback that it was being shared throughout the North West. The Department published an edition in June.

### 1.8. Financial Assistance

Council promoted and received Major and Minor Grant applications and Community Rates Remissions applications for Round One of the 2022/2023 Financial Assistance Scheme.

### 1.9. Working Groups

Members of the East Devonport Working Group are working on a Jobs Forum bringing together employers, support organisations and job seekers in the East Devonport area.

The Access and Inclusion Working Group met with a local café and play centre to discuss ways the facility could become more inclusive. The group also workshopped what makes an inclusive Devonport event and discussed ideas for celebrating International Day of People with Disability (3 December 2022).

### 1.13 Partnership Agreements

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

Details	End date and length of agreement	Amount – If Applicable
Carols by Candlelight	2-year Agreement 1 July 2022	\$ 3,500 P/A
City of Devonport Eisteddfod	3-year Agreement – 2019 – 2022 (extended to 2022 due to Eisteddfod being cancelled in 2020 due to COVID)	\$10,000 P/A
Devonport Brass Band	3-year Agreement 30 June 2025	\$10,000 P/A
Devonport Community House	3-year Agreement 30 June 2025	\$18,000 P/A
Devonport Men's Shed	3-year agreement 1 July 2025	\$ 8,000 P/A
Devonport Motor Show	5-year Agreement 29 January 2024	\$ 2,500 P/A
National Trust of Australia – Home Hill operations	3-year Agreement October 2022	\$28,000 P/A
RANT Arts	5-year Agreement November 2026	Rental agreement/Arts & cultural services – in kind funding 45-47 Stewart Street Devonport
Tasmanian Arboretum	3-year Agreement 30 June 2025	\$22,000 P/A
Youth Family & Community Connections	5-year Agreement 29 Jan 2024	Rental agreement/Youth services - in kind funding
Devonport Chamber of Commerce and Industry	2-year agreement 30 Jun 2024	\$40,000 P/A

## 2. ENVIRONMENTAL SUSTAINABILITY

### 2.1. National Tree Day

Sunday, 31 July was National Tree Day. Council organised a day at Figure of Eight Creek at Spreyton to plant 250 saplings along the riparian zone. There was a great turnout of 25 people from the Mersey Scouts, Friends of Don Reserve and Wildcare Friends of Devonport Reserves.

Council have since added to the total by planting 1,100 plants along 300 metres of the creek's riparian zone, the area of land adjacent to waterways. It is an important corridor for animal movement, shelter, and food, which will help increase biodiversity in the area, and prevent erosion.



City of Devonport Scouts with DCC NRM Officer

**2.2. Friends of Don Reserve**

Friends of Don discovered 100 plants illegally removed from behind Laphorne Close that had been planted earlier in the year. The Friends of Don Reserve have replanted 50 seedlings and will replant the remainder next year.

**3. SPORT AND RECREATION DEVELOPMENT**

**3.1 Major Sporting Events Held**

Sporting Event	Dates 2022	Venue
National Indoor Bias Bowls Championships	20-28 August	Devonport Recreation Centre

**Tasmanian Indoor Bias Bowls Championships**

The Tasmanian Indoor Bias Bowls Championships was held over eight days, attracting approximately 350 visitors and participants. Visitors spent big on food, alcohol, and entertainment within Devonport whilst competing.



Image Credit: Tasmanian Indoor Bias Bowls Championships

**3.2 Upcoming Major Sporting Events**

Sporting Event	Dates 2022	Venue
Tasmanian Open Squash	7-11 September	Devonport Squash Centre
Tasmanian Master Games	20-23 October	Various Venues
Cold Climate Classic	29-30 October	Meercroft Park
Tour of Tasmania Cycling Event	26-27 November	Spreyton Cider & Devonport Oval
Devonport Athletic Club Summer Carnival	29 December	Devonport Oval

**Tasmanian Masters Games 20-23 October 2022**



Participation numbers for the Tasmanian Masters Games is now approaching 300 with approximately 20 sports represented.

**Cold Climate Classic Touch Football Event 29-30 October 2022**

Organiser of the Cold Climate Classic event, Touch Football Australia have prepared what promises to be a great weekend of food, wine, entertainment .....and Touch Footy!



*Cold Climate Classic promotions*

**3.3 Recreation Centre Participation**

Facility	Customers through the Door	
	July 2022	August 2022
East Devonport Recreation and Function Centre	Reopening September 2022	
Devonport Recreation Centre	<b>6,414</b>	<b>14,006</b>

Special events held at the Devonport Recreation Centre for July and August 2022 are listed in the table below:

<b>Sporting Event</b>	<b>Dates 2022</b>	<b>Venue</b>
NWPSSA Basketball Games	6 July	Devonport Recreation Centre
NW Thunder vs Diamond Valley Eagles	16 July	Devonport Recreation Centre
State Racquetball Tournament	13-14 August	Devonport Recreation Centre
NWPSSA Basketball Event	17 August	Devonport Recreation Centre
National Indoor Bias Bowls Championships	20-27 August	Devonport Recreation Centre

Group bookings for the Recreation Centres are detailed in the following table.

<b>Recreation Usage</b>			
<b>Facility</b>	<b>Room/Ground</b>	<b>Number of Bookings July</b>	<b>Number of Bookings August</b>
Devonport Recreation Centre (DRC)	Judo Room	0	18
	Meeting Room	5	5
	Sauna	70	100
	Squash	33	34
	Stadium	117	102
	Table Tennis Building	48	52
	Youth Centre	105	89
<b>Total DRC</b>		<b>378</b>	<b>400</b>
East Devonport Recreation and Function Centre (EDRFC)	Community Room	0	0
	Stadium	31	45
<b>Total EDRFC</b>		<b>31</b>	<b>45</b>

#### 4 EVENTS AND MARKETING

##### 4.1 Devonport Jazz 28 – 31 July 2022

Devonport Jazz celebrated a milestone and turned 21 this year. This year’s festival featured Jazz in the Pavilion, Jazz M.A.D and the Ain't Misbehavin' Speakeasy event at the Market Square Pavilion.

The Town Hall Theatre hosted some fantastic events such as the Pure Jazz Sessions with music of global band ALLY, Paul Grabowsky, Hobart trio Swoon and the Royal Australian Navy Band Melbourne Jazz Ensemble. The Gospel song event was again hosted at the paranapple convention centre with a great turn out. There were 21 events and 11 different venues involved in the festival.



Images from Devonport Jazz events 2022

#### 4.2 Devonport Food Festival 1 – 31 October 2022

Devonport Food and Wine has had a name change! It is now Devonport Food Festival (DFF). The festival is held in October each year and will continue to celebrate the combination of food and community in Devonport and surrounds. From the farmers that grow produce, to the local chefs that prepare dishes, to the community organisations that provide support and education through food, Devonport Food Festival aims to bring people together through food to promote the security, seasonality and availability of produce across the North-West.

There will be 15 different events, involving 12 different businesses/organisations around the North-West. The events include, cooking demonstrations, classes, markets, music festivals, sporting events, competitions, brunches, tastings, a long table event, high tea and special menus.



#### Spring Fling – 30 October 2022

As a part of the Devonport Food Festival, Devonport City Council will be hosting a Spring Fling event at the Devonport Bluff on Sunday 30th October, from 10am – 2pm.

The event features food and drink vendors, live music, biscuits and scone competition, traditional races and games, face painting, henna, farm animals, recruitment stalls, and more!



#### 4.3 External Events for July and August 2022

- Musos in the Mall – 30 July
- Australia Cup Game – 3 August
- Missing Persons Week Service – 6 August
- The Light Night Glow Run – 27 August

#### 4.4 Upcoming External Events

- The Circle – Weber Bros Entertainment – 24 October – 6 November 2022
- Zombie Apocalypse – 28 October 2022

- Bright Cider Life – 29 October 2022
- Schools Triathlon Challenge – 24 November 2022
- Walk the Talk White Ribbon Day - 26-27 November 2022
- Christmas in the East – 3 December 2022
- NYE 2022 – 31 December 2022
- Devonport Family Fun Fair 31 December 2022 – 16 January 2023

### **COMMUNITY ENGAGEMENT**

The information provided above details relevant community engagement.

### **FINANCIAL IMPLICATIONS**

No impact on Council's operating budget is expected because of this report.

### **RISK IMPLICATIONS**

There are no risk implications which relate to this report.

### **CONCLUSION**

This report presents operational highlights of Council's Community Services Department for July and August 2022.

### **ATTACHMENTS**

Nil

## 6.5 CONVENTION AND ARTS REPORT - JULY AND AUGUST 2022

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

Endorser: **Kym Peebles, Executive Manager People and Finance**

### RECOMMENDATION

That Council receive and note the Convention and Arts report.

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2 A vibrant City is created through the provision of cultural activities, events and facilities

### SUMMARY

This report provides a summary of the activities undertaken in the Convention and Arts Department for the period July and August 2022.

### BACKGROUND

Council provides a range of cultural, recreational and entertainment experiences to assist people to connect and engage with each other in developing a strong sense of belonging, community spirit and quality of life.

The paranple convention centre is an important economic driver for Devonport, encouraging business opportunities in Devonport and supporting local contractors.

The functional areas of Council covered in this report include:

- Devonport Regional Gallery
- Bass Strait Maritime Museum
- Town Hall Theatre
- paranple convention centre

### STATUTORY REQUIREMENTS

There are no statutory requirements in relation to this report.

### DISCUSSION

#### ARTS AND CULTURAL DEVELOPMENT

##### 1. Devonport Regional Gallery

##### Gallery Exhibitions

Exhibition	Date
Koinobori from Devonport's sister city Minamata	5 May – 23 July
Zanny Begg: These Stories Will be Different	4 June – 9 July
Paper on Skin Garment Exhibition	23 June – 30 July
Life: Work in Progress by Luke Viney	16 July – 20 August
I'm Still Standing: Devonport Surviving Architecture	16 July – 27 August
Women's Art Prize Tasmania 2022, Finalists Exhibition	6 August – 17 Sept
Jane Menzies: How it started	27 August – 24 Sept
Stories of Home by Sharifah Emalia Al-Gadrie	3 – 22 September



*Paper on Skin*

### Education and Public Programs

Event	Participation	Date
Create & Make pop in 1	12	7-Jul
Create & Make pop in 2	24	12-Jul
Screen Printing workshop with Libraries Tasmania	19	13-Jul
Meet & Greet Ruby Moore, Curator, I'm Still Standing & Luke Viney Artist, Life- Work in Progress	46	15-Jul
Zine making workshop with RANT	6	18-Jul
Books + Art	4	18-Jul
Scavenger Hunt - Children's University and DRG	43	21-Jul
Paper on Skin Headpiece workshop with Chole Townsend	12	22-Jul
Leonie Oakes Floor talk for paper On skin	22	23-Jul
Devonport Library - English Language study group Paper on Skin	10	26-Jul
Robinson Talk for the Probus Club	27	27-Jul
Opening Women Art Prize Tasmania	52	5-Jul
Create & Make Term 3, week 1 - Homeschool	13	10-Aug
Create & Make Term 3, week 1 - Group 1	23	10-Aug
Create & Make Term 3, week 1 - Group 2	18	11-Aug
Outreach Devonport High Pottery and Printmaking	21	15-Aug
Create & Make Term 3, week 2 - Homeschool	8	17-Aug
Create & Make Term 3, week 2 - Group 1	21	17-Aug
Create & Make Term 3, week 2 - Group 2	16	18-Aug
Liberal State Council VIP Cocktail Party	50	19-Aug
Children's University Postcard to the Mayor workshop	36	20-Aug
Our Lady of Lodes Prep School Visit	50	23-Aug

Event	Participation	Date
Create & Make Term 3, week 3 - Homeschool	10	24-Aug
Create & Make Term 3, week 3 - Group 1	18	24-Aug
Create & Make Term 3, week 3 - Group 2	18	25-Aug
Meet and Greet The Artist: Jane Menzies, How it started Little Gallery	9	26-Aug
Create & Make Term 3, week 4 - Homeschool	13	31-Aug
Create & Make Term 3, week 4 - Group 1	24	31-Aug
<b>TOTAL</b>	<b>625</b>	

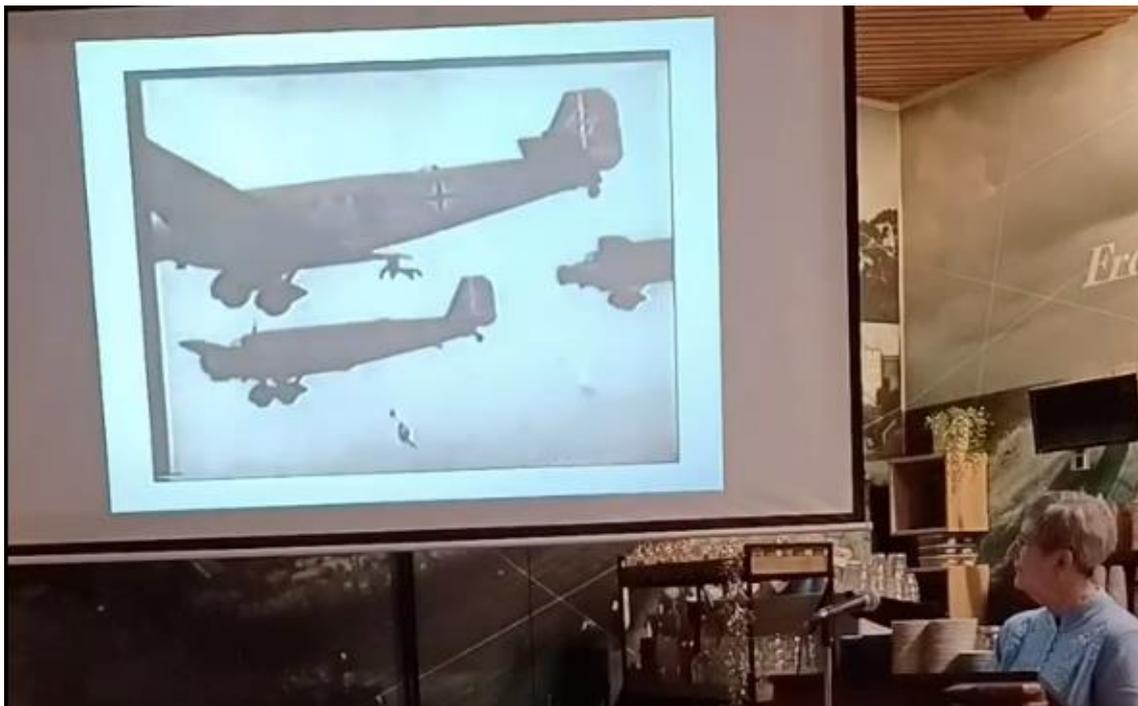
**2. Bass Strait Maritime Centre**

**Bass Strait Maritime Centre Exhibitions**

Current Exhibition	Date
Instrumental: Navigating and Communicating on the High Seas	Closed 20 July
Upcoming Exhibitions	
Maritime Links: Nairana and Maheno	Aug 2022
Remarkable: Stories of Australians and their Boats	Nov 2022
Strata: Metals, Minerals, and Mining along the Strait	Feb 2023

**Education and Public Programming**

Event	Participation	Date
Children's University Scavenger Hunt	50	15-July
Travelling Exhibition Workshop: Design (at HIVE)	7	28-July
School Visit: Romaine Park Primary	34	25-Aug
Maritime and History Talk: Elizabeth Nickols	26	30-Aug
<b>TOTAL</b>	<b>117</b>	



*Maritime and History Talk with Elizabeth Nickols  
The Facebook livestream and recording received 859 views; 1.2k reach.*

### 3. Town Hall Theatre

#### Theatre Performances

Performance	Attendance	Date
Festival of Voices Tasmanian Songbook	178	5 - 6 July
Ross Noble	299	23 July
Devonport Jazz	750	28 – 30 July
Amy Shark	409	4 August
Razzamatazz	350	9 August
Teeny Tiny Stevies	134	14 August
Shake Rattle' n' Roll	407	20 August
Ring of Fire	916	25 – 27 August
<b>Total</b>	<b>3,443</b>	

#### Upcoming Performances

Performance Event	Date
City of Devonport Eisteddfod	7 – 22 Sept
The Australian Seekers Show	1 October
By A Thread	20 October
The Great Tenors	22 October
The Three Kings	28 October
The Alphabet of Awesome Science	1 November

### 4. Participation Across Arts and Cultural Development

Levels of participation are a determinant of an inclusive, strong and robust community. Council monitors the level of participation to capture trends and demand for services, usage of existing services, opportunities to increase participation and customer satisfaction.

Facility	Visitors July	Visitors August
paranaple arts centre	3,520	4,451
Bass Strait Maritime Centre	443	336
<b>Total</b>	<b>3,963</b>	<b>4,787</b>

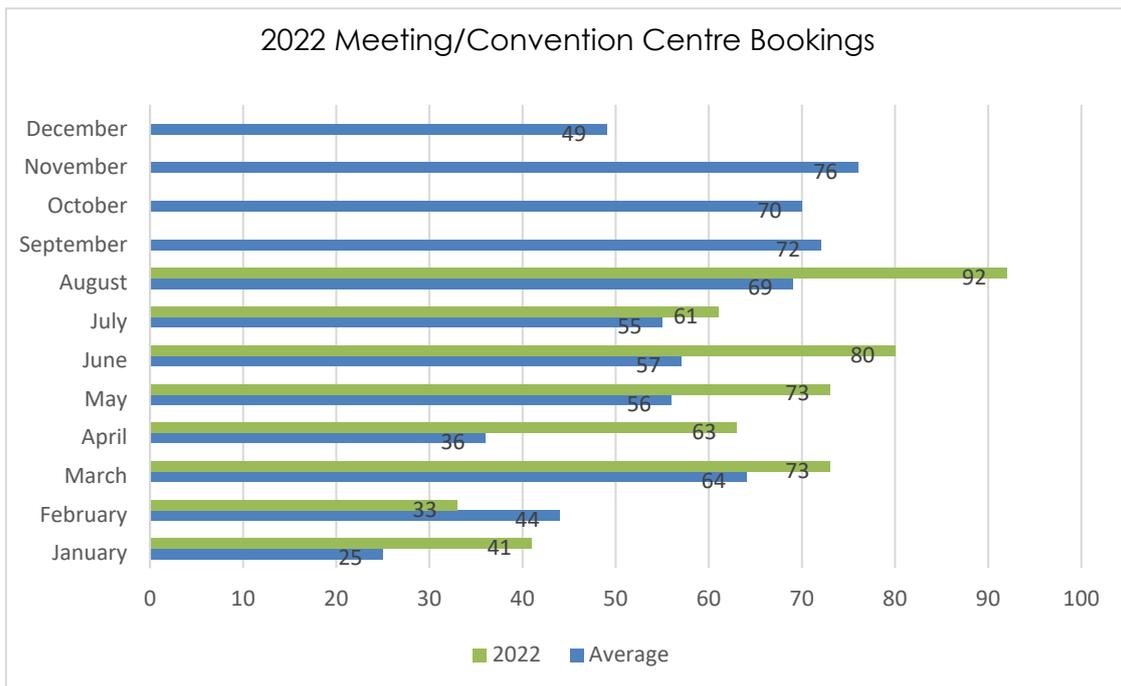
### 5. paranaple convention centre

#### Meetings at paranaple convention centre and Market Square Pavilion

For July and August 2022, the DCC meeting rooms held 137 events, with 16 events in the convention centre. Total attendance of 5,664 patrons.

Event	Presented by	Attendance
Vaccination Clinic July	Tasmanian Health Service	600 (6 days)
Breakfast	DCCI, TasPort & SeaRoad	122
Blind Ambition Film Screening	North-West Film Society	60
Tasmanian Minerals, Manufacturing & Energy Conference	Tas Minerals, Manufacturing & Energy Council	100 (2 days)
Gospel Song (Devonport Jazz)	Devonport City Council	450

Leading Australian Resilient Communities Future Forum	Tasmanian Leaders	60
Vaccination Clinic August	Tasmanian Health Service	200 (2 days)
Farewell, Mr. Haffmann	North-West Film Society	70
Toast for Kids Gala	Toast for Kids Charity	282
Liberal State Council	Liberal Party of Australia, Tasmanian Division	200
50 Year Anniversary Celebration	Fairbrother Pty Ltd	160
Potato & Vegetable Awards Dinner	Simplot Australia	200
Northwest Service Providers Forum	Catholic Care	80
Private Funeral	Pinegrove Funerals	500
MBT Member Forum	Master Builders Tasmania	20



Liberal State Council

**COMMUNITY ENGAGEMENT**

The information provided above details all community engagement.

**FINANCIAL IMPLICATIONS**

Any financial or budgetary implication 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**

There are no risk implications which relate to this report.

**CONCLUSION**

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

**ATTACHMENTS**

Nil

## **6.6 GENERAL MANAGEMENT, PEOPLE & FINANCE AND CORPORATE SERVICES REPORT - JULY AND AUGUST 2022**

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Kym Peebles, Executive Manager People and Finance and Jeffrey Griffith, Deputy General Manager**

### **RECOMMENDATION**

That Council receive and note the General Management, People and Finance and Corporate Services report.

### **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 provides a summary of the activities undertaken during the months of July and August 2022 in the following areas of Council:

- General Management
- People and Finance
- Corporate Services

### **BACKGROUND**

This report is provided to update the Councillors and the community on matters of interest relating to Council's General Management, People and Finance and Corporate Services departments.

The function areas of Council covered by this report include:

- Governance
- Property Management
- Strategic and Operational Plans
- Corporate Communication
- Human Resources
- Financial Strategy and Management
  - Revenue and Rating
  - Grants
  - Loan Borrowings
  - Compliance
  - Related Policies
  - Financial Reporting
- Information Technology
- Budget Management
- Car Parking
- Customer Service

**STATUTORY REQUIREMENTS**

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

**DISCUSSION****1. GENERAL MANAGEMENT****1.1. Governance****Common Seal Register**

The following documents have been signed under Council's seal for July and August 2022.

REG/785	Certified Draft Amendment - AM2022.001 & PA2022.0024 - 133 Middle Road Miandetta	4/07/2022
REG/786	Personal Information Contract - Devonport City Council & Registrar of Motor Vehicles	13/07/2022
REG/787	Plan of survey Subdivision 21 McCall Terrace, Stomy Rise PA2020.0009	26/07/2022
REG/788	Plan of Survey - 2 lot subdivision PA2021.0017 125 Tarleton Street East Devonport	4/08/2022
REG/789	Plan on Survey - Subdivision 48 Tugrah Road, Tugrah PA2021.0108	11/08/2022
REG/790	Lease Agreement - Crown & DCC - 6 Wright Street East Devonport	16/08/2022
REG/791	Plan of Survey - PA2020.0089 2 Lot subdivision 80 York Street, Devonport	16/08/2022
REG/792	PA2022.0040 Subdivision 38 Triton Road, East Devonport - Final Plan	18/08/2022
REG/793	Sub Lease Agreement - Devonport City Council & Devonport Choral Society Inc & Devonport Repertory Theatre Society Inc - 260 Steele Street Devonport	18/08/2022
REG/794	Lease Agreement - Devonport City Council and Scouts Australia Tasmania Branch - Addison Street Reserve	24/08/2022

**Councillor Attendance**

Councillor attendance at Council meetings and workshops attendance up to 31 August is detailed as follows:

No. of Meetings Attendance	Council 2	Planning Authority 1		Workshops 3	Leave of Absence Approved during July/August 22
		Member	Non Member		
Mayor Cr A Rockliff	2	1	0	3	
Cr J Alexiou	2	1	0	3	1
Cr G Ennis	1	0	0	3	
Cr P Hollister	2	1	0	3	
Cr A Jarman	2	0	0	2	
Cr L Laycock	2	0	1	3	
Cr S Milbourne	0	0	0	0	
Cr L Murphy	2	1	0	3	1
Cr L Perry	2	1	0	3	

**1.2. Property Management Update**

Council Officers worked on a number of property matters during July and August 2022 including the following:

- Crown Land applications/matters:
  - Men's Shed Devonport Works Application – consent to proceed with works received
  - Coles Beach Stormwater Works Application – consent to proceed with works received
  - Request to renew licence for Spreyton Cycleway
  - Request to renew and vary licence for Waverley Road

- Works request Mersey Bluff Caravan Park – tree removal
- Head lease renewal – 6 Wright Street East Devonport
- Application to vary lease – Don River/Coles Beach
- Sub lease approval – Devonport Surf Life Saving Club
- Scouts Tasmania lease renewal - Addison Street Reserve
- Devonport Choral Society & Devonport Repertory Society sub lease renewal finalised
- Annual rental invoices – Sport & Recreation and Community Groups

### 1.3. Corporate Communication

#### 1.3.1. Devonport City Council Website

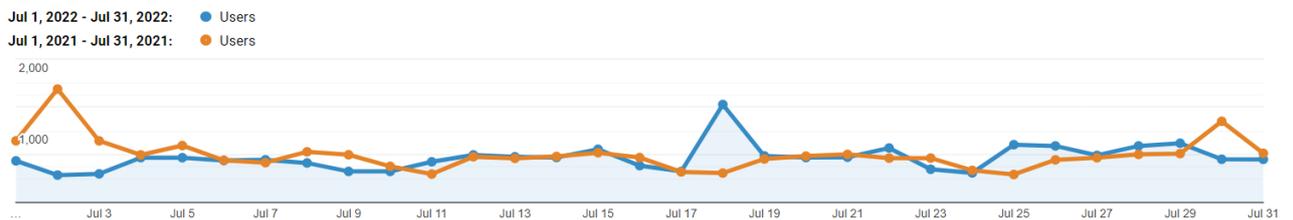
Devonport City Council website content is refreshed on an on-going basis, by updating information and the addition of new public notices, planning applications, news stories and events.

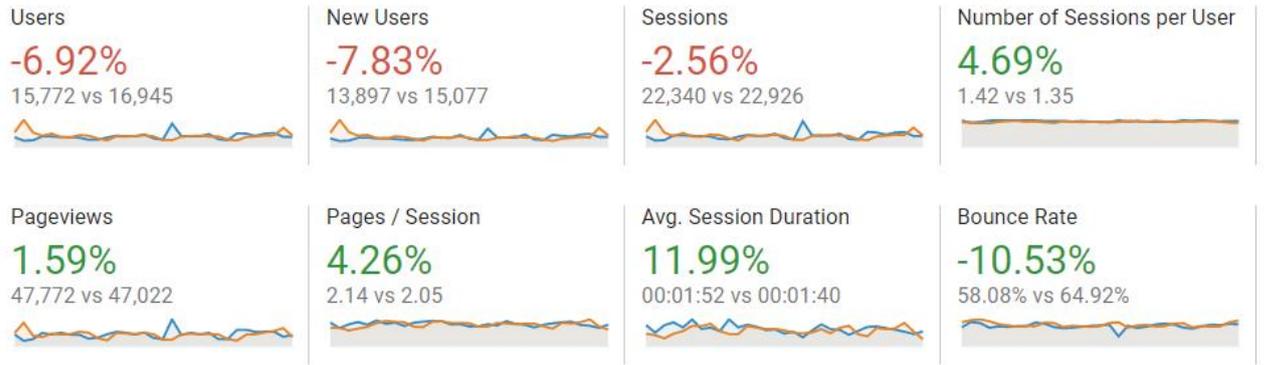
Top 10 Website Pages	July 2022	August 2022
	1. Council Forms and Payments	1. Advertised Planning Permit Applications
	2. Advertised Planning Permit Applications	2. Contact Us
	3. News and Media	3. Council Forms and Payments
	4. Contact Us	4. News and Media
	5. Employment Opportunities	5. Employment Opportunities
	6. Dog Registration Form	6. Cemetery Search
	7. Cemetery Search	7. Waste Transfer Station
	8. Employment – Casual Attendant	8. Dog Registration Form
	9. Waste Transfer Station	9. Make a Request
	10. Employment – Customer Service Officer (PAC)	10. Rates and Payments

Note: Most visitors to the website begin at the home page, but this is not listed in the top 10 pages, as it would be a normal starting point for most website visits.

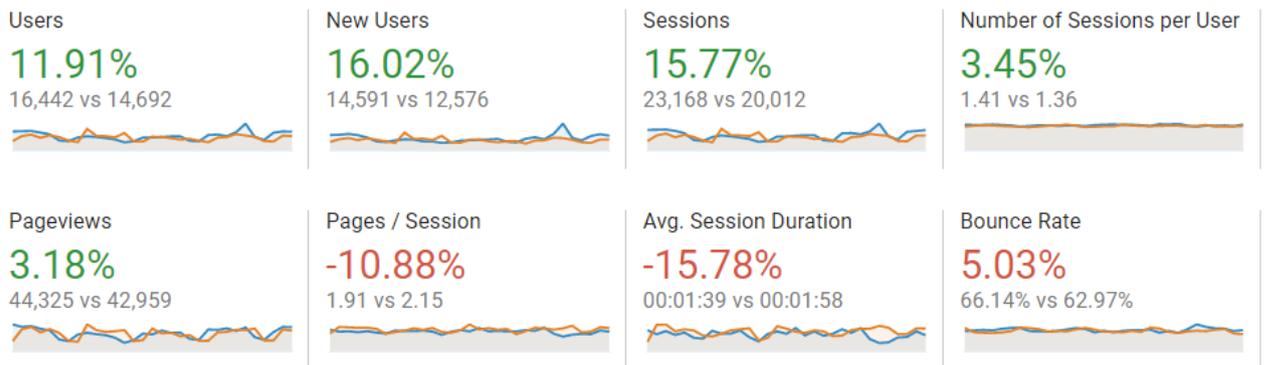
#### Website statistics taken from Google Analytics

July 2022 (Verse 2021), Website Statistics

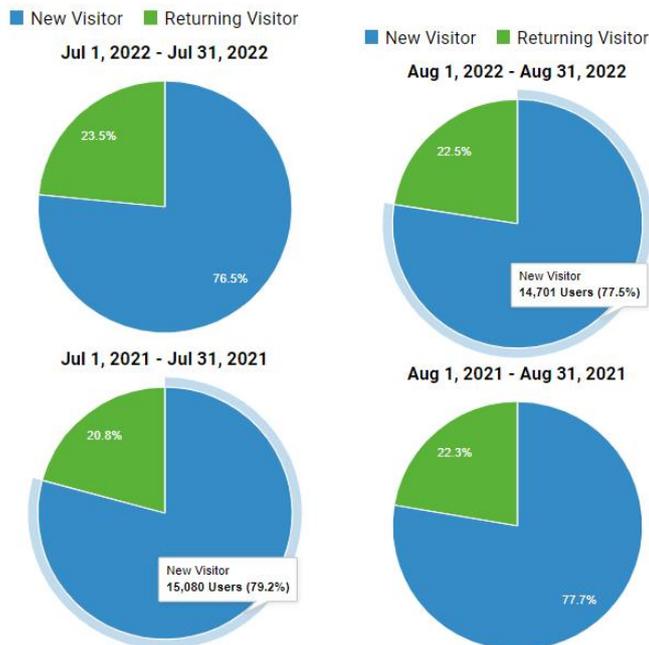




### August 2022 (Verse 2021), Website Statistics



### New Visitors versus Returning Visitors



### 1.3.2. Community Consultations

Council's online engagement platform [www.speakupdevonport.com.au](http://www.speakupdevonport.com.au) is utilised for all of Council's community consultations.

During the reporting period, Council sought feedback on the draft Open Space Strategy and the Signage Strategy.

### 1.3.3. Social Media

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

Followers at the end of August:

Facebook	10.6K
LinkedIn	965 – up by 52
Twitter	691 – down by 2

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

<b>DCC Corporate Facebook Page Statistics</b>	<b>July 2022</b>	<b>August 2022</b>
<b>Facebook Average Monthly Reach:</b> Number of Facebook users who have seen content associated with the page during the period (individual users can be 'reached' numerous times per month).	21,814TY (28,872LY)	15,957TY (20,639LY)

During July and August, the top 10 posts Facebook posts each month in terms of audience reach were:

<b>July 2022</b>	<b>August 2022</b>
1. Road Closure - Formby Road, 28/07/2022, 7.9K	1. Department of State Growth Roadworks - Mersey Main Road, 30/08/2022, 6K
2. Highfield Park Nature Playground opening, 14/07/2022, 6.9K	2. Shared post – Rex Airlines, 18/08/2022, 5.3K
3. Victoria Parade Boat Ramp works, 19/07/2022, 5.4K	3. Employment Opportunity - Parking and Information Officer, 02/08/2022, 5.3K
4. Flu and COVID vaccination clinics, 16/07/2022, 5.1K	4. Media Release - Women's Art Prize Tasmania, 04/08/2022, 4.2K
5. Road works - Department of State Growth, 24/07/2022, 4.9K	5. Australian Indoor Bowls National Championships, 21/08/2022, 3.9K
6. Road Closure - Devonport Road, 10/07/2022, 4.7K	6. Dog Exercise Park Closure update, 22/08/2022, 3.8K
7. Changes to opening hours – Spreyton Waste Transfer Station, 04/07/2022, 4.7K	7. Media Release - Festival of Learning, 29/08/2022, 3.5K
8. NAIDOC Week Street march, 05/07/2022, 4.5K	8. SEGRA conference, 30/08/2022, 3.1K
9. Dog Exercise Park Closure update, 28/07/2022, 4K	9. Media Release - Time to get back on your bike in Devonport, 31/08/2022, 2.9K
10. Employment Opportunity - Parking and Information Officer, 21/07/2022, 3.9K	

July 2022	August 2022
	10. Horsehead Creek Riverside Park - boat ramp reopened, 04/08/2022, 2.7K

#### 1.3.4. Publications & Media

Council issued the following official media releases, alerts, comments and statements during July and August 2022:

Date	Media Type	Title/Topic
4/07/2022	Article - The Advocate	It's time to go: Mayor
6/07/2022	Media Comment – The Advocate	Support to review hospital CEO roles
9/07/2022	Media Release	Milestone for yearly North-West jazz festival
9/07/2022	Media Comment – The Advocate	City land supply a concern
11/07/2022	Media Comment – The Advocate	Action needed before elections
12/07/2022	Article - The Advocate	Changing the guard – Council elections
13/07/2022	Media Release	Have your say on Devonport's entry signs
13/07/2022	Media Comment – The Advocate	Next step taken for short-stay
14/07/2022	Media Comment – The Advocate	Plans for major public art
15/07/2022	Media Comment – The Advocate	Premier's Fund for Children and Young People first grant round recipients announced
18/07/2022	Media Comment – The Advocate	Music icon set to play at festival
19/07/2022	Interview - Breakfast with Darren	Devonport Jazz
19/07/2022	Media Comment – The Mercury	Hotel takes shape at key tourist port
21/07/2022	Media Release	New life skills to be taught at festival
23/07/2022	Media Comment – The Advocate	Sugar Glider euthanasia
23/07/2022	Media Comment – The Advocate	Local government mandatory voting
27/07/2022	Media Comment – The Advocate	Devonport City Council approves e-scooter trial
28/07/2022	Media Release	Ruby Moore curates exhibition for Devonport Regional Gallery
28/07/2022	Interview - Breakfast with Darren, 7AD FM	E Scooters trial, Jazz Festival and Festival of Learning
28/07/2022	Interview - Home run with Lee Dixon, 7AD FM	Ruby Moore curates exhibition
30/07/2022	Media Release	'Thoughtless' display - Don reserve trees
1/08/2022	Media Comment – The Advocate	Devonport Jazz Festival celebrates its 21st anniversary in style
4/08/2022	Media Comment – The Advocate	Community Grants Available
8/08/2022	Media Release	Award finalists work on display
9/08/2022	Media Comment – The Advocate	Oil spills from salvaged tug
10/08/2022	Media Comment – The Advocate	'More open spaced needed'

Date	Media Type	Title/Topic
19/08/2022	Media comment – The Advocate	'Blackbox' Theatre push
23/08/2022	Media comment – The Advocate	'More retail space needed' City already has shortfall, consultant finds
24/08/2022	Media comment – The Advocate	Merger Process frustration
29/08/2022	Media comment – The Advocate	Councillor backing call for mergers
30/08/2022	Media comment – ABC	Ferry service ends after 160 years

## 2. PEOPLE AND FINANCE

### 2.1 Human Resources

#### 2.1.1. Recruitment

##### Staff positions advertised July and August 2022

Position	Department	Work Location
Building Maintenance Serviceperson	City Growth	Works – Building Maintenance
Administration Officer – part-time Works	City Growth	Works
Customer Service Officer (PAC) – part-time	People & Finance	paranaple arts centre
Technician	People & Finance	paranaple arts centre
Plumbing Surveyor	Corporate Services	paranaple centre – Development Services
Casual Attendant (PAC)	People & Finance	paranaple arts centre
Parking & Information Officer (Casual)	Corporate Services	paranaple arts centre
Bass Strait Maritime Centre Coordinator	People & Finance	paanaple arts centre
Creative Learning & Public Programs Officer	People & Finance	paranaple arts centre

##### Staff Appointments July and August 2022

Position	Name	Department	Work Location
Building Maintenance Serviceperson	Daniel Ward	City Growth	Works – Building Maintenance
Customer Service Officer (PAC) – part-time	Kirsty Jones	People & Finance	paranaple arts centre
Customer Service Officer (PAC) – part-time	Stacey Hyde	People & Finance	paranaple arts centre
Administration Officer – part-time Works	Laura Foster	City Growth	Works
Parking & information Officer (casual)	Bart McGann	Corporate Services	paranaple centre - Parking
Parking & information Officer (casual)	Nayeem Mohammed	Corporate Services	paranaple centre - Parking
Casual Attendant (PAC)	Archie Wise	People & Finance	paranaple arts centre
Casual Attendant (PAC)	Donna James	People & Finance	paranaple arts centre
Bass Strait Maritime Centre Coordinator	Joanna Gair	People & Finance	Bass Strait Maritime Centre

**Staff Departures July and August 2022**

Position	Name	Department	Work Location	Date Effective
Customer Service Officer (PAC) – part-time	Julie King	People & Finance	paranaple arts centre	1/07/2022
Waste Management Serviceperson	Noel Laphorne	City Growth	Works – Waste	6/07/2022
Parks & Reserves Serviceperson	Maurice Baldock	City Growth	Works – Parks	14/07/2022
Executive Assistant	Robyn Woolsey	Corporate Services	paranaple centre	29/07/2022
Parking & Information Officer (part-time)	Jocelyn Skinner	Corporate Services	paranaple centre	29/7/2022
Utilities Officer	Gene Steward	Corporate Services	Community Services	9/08/2022

**Workers Compensation end of August 2022**

Policy year ending 30 June	Number of Workers Compensation Claims lodged with Council's Insurer	Current Open claims	Nett value incurred by the Insurer (including estimates)
30/6/2023	0 claims	0	\$0
30/6/2022	7 claims	1	\$179,589.01
30/6/2021	7 claims	0	\$26,494.39
30/6/2020	6 claims	0	\$29,481.08
30/6/2019	12 claims	0	\$347,651.52
30/6/2018	6 claims	0	\$32,029.49

**New Workers Compensation claims for the period**

0 new claims lodged in July 2022.

0 new claims lodged in August 2022.

**2.1.2. Work Experience**

Dates of Placement	Location	School	Student
1/8/22 to 20/10/22 – 100 hours	People & Finance – paranaple arts centre   Devonport Regional Gallery  School of Creative Arts & Media – Industry Placement	University of Tasmania	J. Larcombe

**2.1.3. Health & Wellbeing**

The following activities and initiatives were promoted for July and August 2022:

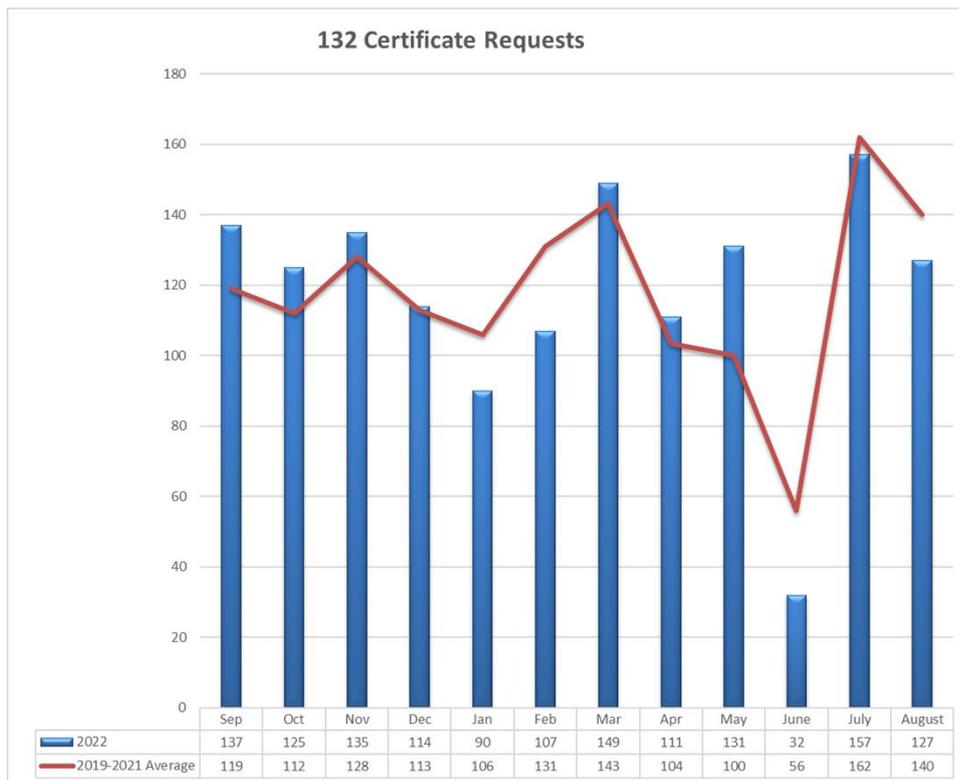
- Expressions of interest were sought from staff to join the committee in readiness to re-launch new health and wellbeing initiatives
- Skin Checks – promotion of skin checks to employees for this financial year.

- Local Government Blood Challenge commenced 1/7/2022 – promotion of resource information
- CLS – promotion of workplace support through Council's employee assistance provider.

**2.2. Finance**

**2.2.1. Certificates**

The following graph details the 132 Certificate requests that have been processed this financial year compared to previous financial years.



**2.2.2. Rate Statistics**

**Percentage of Rates Paid\***

	2020/2021	2021/2022	2022/2023
<b>July</b>	15.85%	17.21%	11.17%
<b>August</b>	36.00%	47.82%	45.35%

**\*Please note the Rate statistics include rates paid in advance.**

Rates in advance as of 31 August 2022 are \$102,223.89.

**2.2.3. Finance Report**

The finance report attached includes a capital works income and expenditure report. The report does not yet include carry forward budget adjustments which are to be considered in a separate report to Council for approval.

## 2.3. CORPORATE SERVICES

### 2.3.1. Parking

#### 2.3.1.1. Parking Statistics

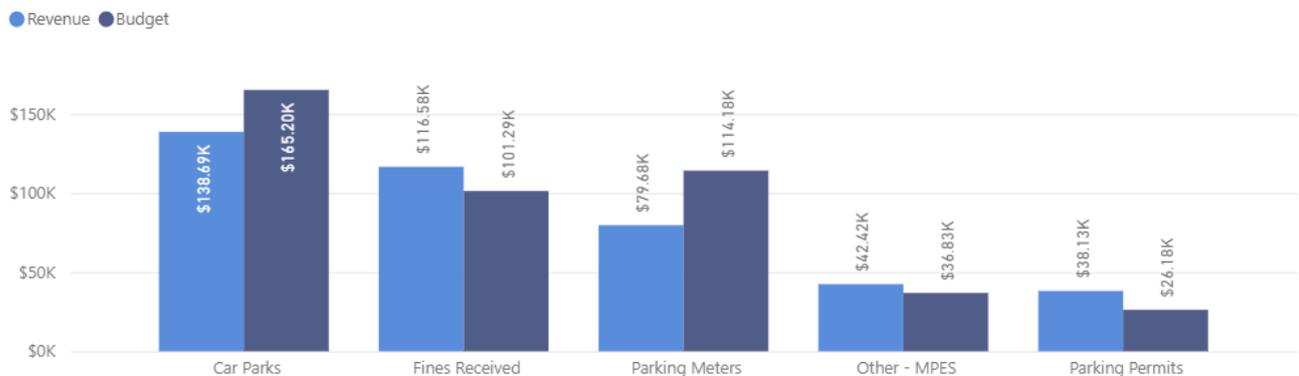
##### Budget v Revenue Period to Date



##### Revenue/Budget Period to Date

Description	Budget	Revenue	Variance	Variance %
Edward St CP	\$17,495.84	\$12,014.15	(5,481.69)	-31%
Fenton Way CP	\$3,130.84	\$2,125.93	(1,004.91)	-32%
Fines Received	\$101,291.66	\$116,580.00	15,288.34	15%
Formby Rd CP	\$43,279.16	\$32,010.16	(11,269)	-26%
Fourways CP	\$16,575.00	\$11,615.81	(4,959.19)	-30%
Multi Storey CP	\$36,833.34	\$48,088.91	11,255.57	31%
Other - MPES	\$36,833.34	\$42,417.52	5,584.18	15%
Parking Meters	\$114,183.34	\$79,675.69	(34,507.65)	-30%
Parking Permits	\$26,179.16	\$38,126.52	11,947.36	46%
Payne Ave CP	\$17,495.84	\$11,491.39	(6,004.45)	-34%
Steele St CP	\$12,891.66	\$9,476.23	(3,415.43)	-26%
Wenvoe St CP	\$17,495.84	\$11,869.28	(5,626.56)	-32%
<b>Total</b>	<b>\$443,685.02</b>	<b>\$415,491.59</b>	<b>(28,193.43)</b>	<b>-6%</b>

##### Grouped Natural Account - Revenue v Budget Year to Date





### EasyPark Revenue



### 2.3.2. Information Technology

#### Smart City Project

Council has commenced phase 2 of the smart city project, called Devonport Live. This phase will include a number of IoT sensors and data collection devices to support:

1. More effective irrigation control at a number of locations to include Victoria Parade and Meercroft Park

2. Pedestrian traffic monitoring in the Rooke Street Mall, Fourways and Bluff BBQ's
3. Additional bin level monitoring
4. Radar traffic sensors
5. Plant & equipment monitoring

### **132 & 337 Automation Project**

Council receives up to thirty 132 Certificate of Liability requests per week. These requests are generated when properties are being bought or sold to show the dollar amount of rates and other charges that may be due on the property.

Council receives up to twenty 137 Certificate requests per week. These requests are designed to make the prospective owners of a property aware of any outstanding matters relating to the property.

This has long been a heavily administrative intensive process that requires a substantial number of hours by council officers across diverse departments to complete in preparation to provide a response to solicitors.

Leveraging existing technologies that Council currently utilise to include Microsoft Power Automate and Harbour Software's Doc Assembler, a project team was able to provide full automation of the 132 and 337 certificate data entry process resulting in 10 hours per week in time saving. The process to complete the responses to the 337 Certificate in Doc Assembler has resulted in increased efficiency and quality ensuring higher certainty in meeting property settlement dates.

### **Council Dashboards**

Council has been adding new dashboards of interest to the community on the Devonport City Council website each month since July 2022. These dashboards can be found by going to [Your Council Dashboards | Devonport City Council](#). Current dashboards include Building, Plumbing, Planning, 337 & 132 Certificates, Annual Plan and a Community Snapshot (Provided by DPaC).

Council will aim to add one new dashboard each month that the community will find to be of benefit. Council dashboards are typically refreshed daily or monthly depending on the type of information that is being provided.

## **COMMUNITY ENGAGEMENT**

The information provided above provides details 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 report.

## **RISK IMPLICATIONS**

Any specific risk implications have been outlined in the commentary above. Any specific risk that becomes an issue for Council would result in a separate report to Council.

## **CONCLUSION**

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

**ATTACHMENTS**

1. 20220831 Consolidated Financial Report - Council [**6.6.1** - 10 pages]

## 6.7 ELECTED MEMBERS EXPENSE REPORT TO 31 AUGUST 2022

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

### RECOMMENDATION

That the bi-monthly report advising of Councillor allowances and expenses 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

To detail expenses of the Mayor and Councillors.

### BACKGROUND

This report is a regular bi-monthly update on the costs associated with the payment of allowances and expenses for Councillors.

### STATUTORY REQUIREMENTS

Under the *Local Government Act 1993*, Council is required to publish details of the total allowances and expenses paid to the Mayor, Deputy Mayor and Councillors in its Annual Report, however there is no obligation to do so at any other time.

### DISCUSSION

Expenditure processed for the months of May and June 2022 is detailed below:

#### Mayor, Cr Annette Rockliff

- \$ 164 – Mobile (Apr, May, June 2022)
- \$ 216 – Accommodation (Mayor's PD workshop)
- \$ 389 – Mayor's Professional Development workshop
- \$ 497 – LGAT AGM/Professional Development day
- \$ 76 – WxNW Toursim Conference
- \$ 88 – LGAT General Meeting
- \$ 24 – DCCI Breakfast

#### Deputy Mayor, Cr Alison Jarman

- \$ 497 – LGAT AGM/Professional Development day
- \$ 225 – LGAT Climate Change Conference
- \$ 24 – DCCI Breakfast

#### Cr John Alexiou

- \$ 497 – LGAT AGM/Professional Development day

#### Cr Peter Hollister

- \$ 497 – LGAT AGM/Professional Development day

#### Cr Gerard Ennis

- \$ 497 – LGAT AGM/Professional Development day

#### All councillors

- \$ 1,104 – Digital expenses (Apr, May, June 2022)

Note: Due to the timing of credit card statements and invoices, expenditure is reported as and when the account is paid. Items in this report may relate to transactions that occurred in previous months.

**COMMUNITY ENGAGEMENT**

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

**FINANCIAL IMPLICATIONS**

Mayoral and Councillor expenses are costed to the general ledger account for Councillor Support.

**RISK IMPLICATIONS**

There are no identified risks in relation to this report.

**CONCLUSION**

Expenses are reported in accordance with Council direction.

**ATTACHMENTS**

Nil

## **6.8 UNCONFIRMED MINUTES DEVONPORT CITY COUNCIL AUDIT PANEL**

Author: **Jacqui Surtees, Executive Coordinator**

Endorser: **Matthew Atkins, General Manager**

### **RECOMMENDATION**

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 11 August 2022.

### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

Strategy 5.6.3 Provide internal and external audit functions to review Council's performance

### **SUMMARY**

This is a report of the unconfirmed minutes of the Audit Panel meeting held on 6 June 2022.

### **BACKGROUND**

The Audit Panel is in place to assist Council in fulfilling its oversight responsibilities by providing independent advice and assurance regarding the Council's financial management, risk management, internal control and compliance framework.

In late 2014, Council determined to establish a shared Audit Panel with Central Coast Council.

The Audit Panel of each council comprises two elected members and two independent members. The independent members are appointed jointly by both councils to be shared between each council's Audit Panel.

At the February 2019 Council meeting, it was determined that each audit panel should continue to meet independently, and that the Shared Audit Panel would only meet on an as required basis (Min No 36/19 refers).

### **STATUTORY REQUIREMENTS**

All councils must have Audit Panels that operate in accordance with Part 8 of Division 4 of the *Local Government Act 1993 (the Act)* and the *Local Government (Audit Panels) Order 2014*.

### **DISCUSSION**

The draft unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 11 August 2022 are included as a confidential attachment. Matters discussed at the meeting included the 2022 Financial Statements, and an update on Council's submission to the Future of Local Government Review.

### **COMMUNITY ENGAGEMENT**

Community engagement was not required for the preparation of this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report

### **RISK IMPLICATIONS**

- Political/Governance

The Audit Panel plays a key oversight role in Council's risk management activities providing elected members with an extra level of comfort that the systems in place are adequate. Within its charter, the primary objectives of the Audit Panel are to consider whether:

- the annual financial statements of the Council accurately represent the financial position of the Council;
- the Strategic Plan, Annual Plan, Long Term Financial Management Plan and the Long-Term Strategic Asset Management Plans of the Council are integrated and the processes by which, and assumptions under which, those plans were prepared are sound and justified;
- the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position are appropriate;
- the Council is complying with the provisions of the Act and any other relevant legislation;
- all strategic and business risks affecting the Council are identified and assessed, and the effectiveness of mitigation controls evaluated; and
- the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council.

#### **CONCLUSION**

The information contained in the report and the draft unconfirmed minutes of the Audit Panel meeting held on 11 August 2022 (confidential attachment) are presented to Council.

#### **ATTACHMENTS**

Draft Unconfirmed Minutes – Audit Panel – 11 August 2022 (confidential attachment)

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## 7 SECTION 23 COMMITTEES

Nil

## 8 CLOSED SESSION

The General Manager advises that in his opinion, the agenda items listed below are prescribed items in accordance with Regulation 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.

<b>Item No</b>	<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
3.1	Confirmation of Closed Minutes – Council Meeting – 22 August 2022	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(a)(g)
5.1	Public Interest Disclosure	15(2)(a)
5.2	CBD Expression of Interest Process	15(2)(f)

## 9 CLOSURE