



*The City with Spirit*

## NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Aberdeen Room, Level 2, parnaple centre, 137 Rooke Street, Devonport, on Monday 16 December 2019, commencing at 5:30pm.

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

## QUALIFIED PERSONS

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

Matthew Atkins  
ACTING GENERAL MANAGER

**11 December 2019**

## JANUARY 2020

Meeting	Date	Commencement Time
Governance Finance & Community Services Committee	20 January 2020	5:30pm
Ordinary Council	28 January 2020	5:30pm

**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 16 DECEMBER 2019 IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre,  
137 ROOKE STREET, DEVONPORT AT 5:30PM**

Item	Page No.
<b>1.0 APOLOGIES.....</b>	<b>1</b>
<b>2.0 DECLARATIONS OF INTEREST .....</b>	<b>1</b>
<b>3.0 PROCEDURAL.....</b>	<b>2</b>
<b>3.1 CONFIRMATION OF MINUTES .....</b>	<b>2</b>
3.1.1 Council meeting – 25 November 2019 .....	2
<b>3.2 PUBLIC QUESTION TIME.....</b>	<b>3</b>
3.2.1 Responses to questions raised at prior meetings .....	4
3.2.2 Questions on notice from the public .....	10
3.2.3 Question without notice from the public.....	12
<b>3.3 QUESTIONS ON NOTICE FROM COUNCILLORS.....</b>	<b>12</b>
<b>4.0 PLANNING AUTHORITY MATTERS .....</b>	<b>13</b>
<b>5.0 REPORTS .....</b>	<b>14</b>
5.1 Tender Report Contract CT0245 Bus Stop Works .....	14
5.2 Unconfirmed Minutes - Annual General Meeting - 9 December 2019.....	17
5.3 Corporate Climate Change Adaptation Plan - Year One Status.....	26
5.4 Unconfirmed Minutes - Audit Panel - 18 November 2019 .....	36
<b>6.0 INFORMATION .....</b>	<b>41</b>
6.1 Workshops and Briefing Sessions Held Since the Last Council Meeting .....	41
6.2 Mayor's Monthly Report.....	42
6.3 General Manager's Report - December 2019 .....	44
<b>7.0 SECTION 23 COMMITTEES .....</b>	<b>49</b>
7.1 Planning Authority Committee Meeting - 2 December 2019.....	49
7.2 Infrastructure Works and Development Committee Meeting - 9 December 2019.....	54
<b>8.0 CLOSED SESSION - CONFIDENTIAL MATTERS .....</b>	<b>59</b>
<b>Out Of Closed Session .....</b>	<b>60</b>
<b>9.0 CLOSURE .....</b>	<b>60</b>

Agenda of an ordinary meeting of the Devonport City Council to be held in the Aberdeen Room, Level 2, paranaple centre, 137 Rooke Street, Devonport on Monday, 16 December 2019 commencing at 5:30pm.

**PRESENT**

		<b>Present</b>	<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 audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

**1.0 APOLOGIES**

**2.0 DECLARATIONS OF INTEREST**

### **3.0 PROCEDURAL**

#### **3.1 CONFIRMATION OF MINUTES**

##### **3.1.1 COUNCIL MEETING – 25 NOVEMBER 2019**

#### **RECOMMENDATION**

That the minutes of the Council meeting held on 25 November 2019 as previously circulated be confirmed.



### 3.2 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 153/19 refers):

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

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

Responses to questions raised at prior meetings are attached.

#### **ATTACHMENTS**

1. GMGOV - Letter - Response to Question Without Notice - Council Meeting 20191125 - Jennie Claire
2. GMGOV - Letter - Response to Question Without Notice - Council Meeting 20191125 - Chris Mills
3. GMGOV - Letter - Response to Question Without Notice - Council Meeting 20191125 - Bob Vellacott
4. GMGOV - Letter - Response to Question Without Notice - Council Meeting 20191125 - Trevor Smith

#### **RECOMMENDATION**

That the responses to questions from Ms Jennie Claire, Mr Chris Mills, Mr Bob Vellacott and Mr Trevor Smith at the 25 November 2019 Council meeting be noted.

Author:	Matthew Atkins
Position:	Acting General Manager



## DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 137 Rooke Street, Devonport

Telephone 03 6424 0511

Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

4 December 2019

Jennie Claire  
57 Gunn Street  
DEVONPORT TAS 7310

Dear Ms Claire

**RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 25 NOVEMBER 2019**

I refer to your questions taken on notice at the Council Meeting on Monday 25 November and provide the following responses:

**Q1** Mayor, can you tell us the cost of the Waterfront Park when the purchase of the land is included?

**Response**

The Waterfront Park is located on a number of parcels of land (as outlined below) which have been purchased by Council over the last 20 years. Please note this is only the land west of Formby Road which is not currently parkland and does not include land purchased to the east of Formby Road which is currently part of Roundhouse park.

Address	Purchase price (\$)	Year purchased
2-18 Best Street	1,625,000	2002
20-26 Best Street	4,200,000	2013
74 Rooke Street	900,000	2015

It should be noted that Council has not done an assessment of the income generated from the above land, and that the purchases prices do not represent the current land valuation. Therefore, it would be incorrect to add the above purchases and represent this total as the cost of the land component of the Park.

**Q2** Given that the CBA for the LIVING CITY Project has given the green light to aspects of the project which have not lived up to the original expectations, why does our Council feel confident in using this CBA to justify the expenditure of a staggering amount of money, which is likely to be somewhere over \$20 million and possibly \$24.3 million on the Waterfront Park?

**Response**

As noted by the Mayor at the meeting, this question is taken as a comment rather than a question.

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- 2 -

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew Atkins'.

Matthew Atkins  
ACTING GENERAL MANAGER



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4 December 2019

Christopher Mills  
52 Caroline Street  
EAST DEVONPORT TAS 7310

Dear Mr Mills

**RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 25 NOVEMBER 2019**

I refer to your question taken on notice at the Council Meeting on Monday 25 November and provide the following responses:

- Q1** Although there is available on line a Customer Service Charter and also a Code of Conduct for Councillors are Councillors aware that there is a Code of Conduct for Staff which is for internal use only and access to it is denied to ratepayers?
- Q2** If I wish to make a complaint that a Staff member has breached the Staff Code of Conduct, what is the appropriate way for me to view the Staff Code of Conduct in order to make such a complaint?

**Response**

Council has two different types of policies, 'council policies' and 'management' policies. Council policies are created by a resolution of Council and are high level documents. Council policies relate to matters that are of direct relevance to ratepayers and/or the community and are available to the public on Council's website.

Management policies are operational documents that prescribe directive and operational principles for management and employees. The Staff Code of Conduct is a management policy.

Council understands that members of the public may be dissatisfied with the quality of service, or behaviour of an employee, and this is noted in our Customer Service Charter. Members of the public may make a complaint against a staff member, which will be managed in accordance with clause 4.1 of the Complaint Handling Policy (available on the website). Complaints against staff are taken seriously and are notified to the General Manager who determines if the alleged complaint breaches the Staff Code of Conduct.

Yours sincerely

Matthew Atkins  
ACTING GENERAL MANAGER

*The City with Spirit*



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4 December 2019

Bob Vellacott  
11 Cocker Place  
DEVONPORT TAS 7310

Dear Mr Vellacott

**RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 25 NOVEMBER 2019**

I refer to your question taken on notice at the Council Meeting on Monday 25 November and provide the following responses:

**Q1** Has Council been informed as to how many TV programs have been filmed in the kitchen studio situated in Providore Place since its opening?

**Response**

Council has been advised that to date approximately 80 episodes of two nationally aired tv shows have been filmed at Providore Place.

Yours sincerely

Matthew Atkins  
ACTING GENERAL MANAGER

*The City with Spirit*



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4 December 2019

Trevor Smith  
7 Glen Court  
DEVONPORT TAS 7310

Dear Mr Smith

**RESPONSE TO QUESTIONS WITHOUT NOTICE RAISED MONDAY 25 NOVEMBER 2019**

I refer to your questions taken on notice at the Council Meeting on Monday 25 November and provide the following responses:

- Q1** On Monday the 18th of November, I rang the Council's Help Desk number, and I asked if the grass could be cut, at your flood basin land, at 33 Dana Drive, Devonport. I have raised this issue earlier this year, and you said that you were going to rectify this situation as far as speedily cutting the grass. What has happened to the Council's efficiency, since I last raised this issue?

**Response**

Mowing of 33 Dana Drive is scheduled to be completed by Friday 6<sup>th</sup> December.

- Q2** Why did your garden contactors, use a mulch on the lawn area, between Providore Place and the multi storey carpark, that contains hundreds of stones, the size of marbles. Are you trying to grow stones or grass, one will grow more than the other, I can tell you that now! This is amazing when you have lots of glass on the buildings nearby when mowing the lawn, plus pedestrian traffic frequently using this space as well. How do you intend to rectify this situation, for the ratepayers of Devonport?

**Response**

There was unintentional contamination of the topsoil with small stones during the recent turf renovation. The contractor responsible has been periodically removing the stones from the area (at their cost).

Yours sincerely

Matthew Atkins  
ACTING GENERAL MANAGER

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**3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC****BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

A Question on notice received from Mr Bob Vellacott, 9 December is **reproduced as attachment 1**.

**Q1** Please indicate which subsection/s of Section 76 of the Local Government Act Council has relied upon to justify waiving the unpaid rent owed by Providore Place Devonport Pty Ltd?

**Response**

Council has not yet made a decision in regard to writing off any unpaid rent for Providore Place.

**ATTACHMENTS**

1. Question on Notice - Council Meeting - 16 December 2019 - Bob Vellacott - Providore Place Rent

**RECOMMENDATION**

That Council in relation to the correspondence received from Mr Bob Vellacott endorse the response proposed and authorise its release.

Author: Position:	Robyn Woolsey Executive Assistant General Management	Endorsed By: Position:	Matthew Atkins Acting General Manager
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QoN RBV Providore Place Sec 76 rent info for 16 Dec 2019 send

From - BOB. VELLACOTT – FINANCIAL RATEPAYER  
11 COCKER PLACE DEVONPORT

To - THE MAYOR AND COUNCILLORS  
DEVONPORT CITY COUNCIL

QUESTION ON NOTICE FOR DEVONPORT CITY COUNCIL MEETING 16<sup>TH</sup> DECEMBER 2019

**SUBJECT - Possible breach of the Local Government Act Section 76.- Writing off bad debts.**

I refer to my question on notice for the DCC meeting of the 28<sup>th</sup> November 2019 and council's response.

**PREAMBLE AND RATIONALE - FACT** - Devonport Council has waived unpaid rent under the head lease with Providore Place Devonport Pty Ltd for the premises known as Providore Place – Ref. The Advocate dated 13<sup>th</sup> & 14<sup>th</sup> September 2019.

Council should explain why Section 76 of the Local Government Act has not been breached in relation to the Providore Place Devonport Pty Ltd head lease.

Council has now entered into a new lease with the prior tenant who did not make the appropriate contracted rent payments for Providore Place. **This appears to indicate** that a majority of council **have confidence that council will receive the new rent; accordingly the Council must have reasonable expectations on receiving the new rent.**

My question 1 (28 Nov. 2019 )was: -

Why did council forgo the arrears and why is there no breach of the act? (See appended Section 76 of the Local Government Act)

Response from Council – Decisions relating to the rental payments have been made by Council in accordance with its statutory obligations.

**MY NEW QUESTION** - Please indicate which subsection /s of Section 76 of the Local Government Act Council has relied upon to justify waiving the unpaid rent owed by Providore Place Devonport Pty Ltd?

Extract from LGA

**76. Writing off bad debts**

- (1) A council may write off any debts owed to the council –
  - (a) if there are no reasonable prospects of recovering the debt; or
  - (b) if the costs of recovery are likely to equal or exceed the amount to be recovered.
- (2) A council must not write off a debt unless the general manager has certified –
  - (a) that reasonable attempts have been made to recover the debt; or
  - (b) that the costs of recovery are likely to equal or exceed the amount to be recovered.

Please ensure all of the above and the response is included in the DCC Agenda for 16<sup>th</sup> Dec 2019

*R.B. Vellacott* 9<sup>th</sup> Dec 2019

**3.2.3 Question without notice from the public**

**3.3 QUESTIONS ON NOTICE FROM COUNCILLORS**

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

## **4.0 PLANNING AUTHORITY MATTERS**

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

## **5.0 REPORTS**

### **5.1 TENDER REPORT CONTRACT CT0245 BUS STOP WORKS**

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

Council's Strategic Plan 2009-2030:

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

#### **SUMMARY**

This report seeks Council's approval to award Contract CT0245, Bus Stop Works to CBB Contracting for the schedule of rates sum of \$368,422 (exc GST).

#### **BACKGROUND**

This report considers tenders received for "New Bus Stop Infrastructure" required due to changes to the State Government's public bus service.

The Department of State Growth is simplifying the Devonport bus network, with an aim to reduce the number of routes and to provide more direct travel, with increased frequency of buses.

The new routes and timetables are planned to commence from April 2020 and have been the subject of recent community consultation undertaken by the Department of State Growth.

This project involves:

- Hard stand area and footpath widening
- Connections or ramps to footpaths
- Bus stop signage and removal
- Tactile indicators
- New linemarking
- Bus shelter relocation

Council will deliver the project on behalf of the Department as most of the work is on Council roads, and Council's procurement and project management practices are more suited to a project of this size.

The funding for the project is being provided by the Department of State Growth through a Grant Deed. The Deed is in process of being finalised now that tenders have closed and project costs can be accurately forecast.

#### **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 two companies. Both tenders received were conforming tenders and are summarised in table 1.

**TABLE 1**

No.	Tender	Status	Tender Price (ex GST)
1	CBB Contracting	Conforming	\$368,422
2	Civilscape Contracting Tasmania	Conforming	\$379,714

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

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

The evaluation by the Committee indicates that CBB Contracting scored highest overall against the selection criteria and therefore offers Council the best value for money.

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 16 November 2019 and tenders were also advertised on Council's website.

### FINANCIAL IMPLICATIONS

There is no allocation in Council's capital works program for this work. The Department of State Growth have committed to funding the full cost of the project through a Grant Deed.

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

**TABLE 2**

No.	Tender	Budget (ex GST)
1	Contract CT0245	\$ 368,422
2	Project management/administration	\$ 15,800
3	Construction contingency (20%)	\$ 73,684
4	Tree / plants purchase	\$ 700
5	Tasnetworks	\$ 11,000
6	Taswater and Telstra works	\$ 14,000
6	Signage purchase estimated	\$ 3,000
	<b>TOTAL</b>	<b>\$486,606</b>

### RISK IMPLICATIONS

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

The contingency allowance for this project is 20% of the contract price. The risk of unforeseen variations is moderate. The project was designed by a consultant and there is

expected to be components of the design that don't comply with Council standards. In addition, there appears to have been limited investigation of underground services.

### CONCLUSION

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that CBB Contracting meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0245 Bus Stop Works.

### ATTACHMENTS

Nil

### RECOMMENDATION

That Council, in relation to Contract CT0245 Bus Stop Works and subject to the execution of a Grant Deed:

- a) award the contract to CBB Contracting for the tendered sum of \$368,422 (ex GST);
- b) note project management costs are estimated at \$15,800 (ex GST);
- c) note costs associated with utility services, trees, plants and signage purchases are estimated at \$28,700 (ex GST); and
- d) note a contingency allowance of \$73,684 (ex GST).

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

## **5.2 UNCONFIRMED MINUTES - ANNUAL GENERAL MEETING - 9 DECEMBER 2019**

### **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 is to provide Council with the minutes of the Annual General Meeting (AGM) held on 9 December 2019 and for it to consider the four motions which were passed at the meeting.

### **STATUTORY REQUIREMENTS**

The requirement for Council to prepare an Annual Report and to conduct an Annual General Meeting is prescribed under the *Local Government Act 1993* (the Act).

In accordance with Section 72(2)(d) of the Act, Council placed advertisements in the Advocate on Saturday, 9 November 2019 and Wednesday, 13 November 2019, notifying of the conduct of the Annual General Meeting on Monday on 9 December 2019 and invited submissions from the community on the Annual Report.

Council is required under the Act (Section 72B) to consider any motions passed at the AGM at its next available meeting and to determine if it intends to take any action in relation to it.

### **DISCUSSION**

Council received two submissions on its Annual Report from Mr Bob Vellacott and Mr Doug Janney. The responses to the submissions were included in the agenda for the AGM.

Council received one notice of motion in writing from Mr Bob Vellacott, which was included in the agenda. Three other motions were raised without notice at the meeting. All of the motions were carried and therefore are presented below for Council's consideration.

### **Motion 1 – Contracts and Agreements**

Moved: B Vellacott

Seconded: M Gardam

*"That in accord with Council's policy of openness and transparency council is hereby requested to formulate a policy whereby, except on rare occasions, all contracts and agreements such as like those listed are dealt with in open Council and are available for public perusal that is -*

- *The Leasing - of properties including head leases;*
- *Employment of - consultants of various professions, managers, food ambassadors, architects, engineers;*
- *Purchasing- of goods and other services;*
- *Sale and purchasing of properties;*
- *Building and construction of infrastructure; and*
- *including any other contract or supply other than an agreement/contract of a real personal nature or any that could be subject to litigation."*

**Officer's comments/relevant information**

The intent of motion one and the second part of motion four are similar in nature in that they seek to ensure that Council, wherever possible avoid considering items of business in closed session. It is suggested that a workshop be held with Council early in the new year to review Council's approach regarding items considered in closed session.

**Motion 2 – AGM Timing**

Moved: D Janney  
Seconded: P Stegmann

*"That Council make every effort to have the ensuing AGMs within 4 weeks of the Auditor General's report date but no later than the end of October."*

**Officer's comments/relevant information**

Whilst legislation requires Council to hold its AGM no later than the 15 December each year, the aim is always to hold the meeting as early as possible.

The timing is affected by a number of factors including the timeliness of audit functions and the long-standing resolution of Council that the Annual Report be made available for public comment for a minimum period of four weeks, prior to the AGM. This year, final approval of the Annual Report from the Tasmanian Audit Office was received on 8 November. The AGM was then scheduled four weeks after the report was made public on 9 December.

It is recommended that Council workshop the timing of the AGM in the new year and review opportunities within its control that would allow the AGM to be held closer to the end of the financial year.

**Motion 3 – Waterfront Park Design**

Moved: J Claire  
Seconded: V Lake

*"That Devonport City Council move the toilet block, BBQ and playground in the Waterfront Park to a location on the western side of the railway line."*

**Officers comments/relevant information**

The project architect held several workshops with Council on the LIVING CITY Waterfront Parkland design both before and after the community consultation period in late 2018. The location of the playground was a consideration during these discussions.

Council, at its meeting on 25 February 2019, considered a report which outlined a number of key design elements, including the playground location and the report provided comment on the rationale for the final design. As a result of this report, Council determined to proceed with detailed design and then call tenders. A construction contract has now been awarded and works are underway. Design changes such as that proposed in this motion would have significant negative impact on the project budget and program. It is recommended that Council continue as planned and take no action in response to this motion.

**Motion 4 – Governance Principles**

Moved: G Nevin  
Seconded: M Gardam

*"That Council adopt as policy a commitment to the following key principles:*

*Firstly, a commitment to good governance and in particular the eight major characteristics of good governance, namely good governance is:*

1. Accountable



2. *Transparent*
3. *Law abiding*
4. *Responsive*
5. *Equitable*
6. *Participatory and inclusive*
7. *Effective and efficient*
8. *Consensus orientated*

And

*Secondly, a commitment that closed meetings of council should be avoided whenever possible to preserve transparency and accountability."*

#### **Officer's Comments/relevant information**

Council's existing Model Code of Conduct Policy adopted in January 2019 already references the eight points noted in the motion as principles of good governance.

The second part of this motion is addressed in comments provided to motion one.

#### **COMMUNITY ENGAGEMENT**

The Council's AGM is an opportunity for the community to be engaged. Forty-one members of the public attended the meeting which has resulted in four motions being carried and referred to Council for consideration.

In addition to the notices of motion, there were seven questions without notice raised at the AGM. Details of these questions are included in the minutes of the meeting.

#### **FINANCIAL IMPLICATIONS**

There are no direct cost implications relating to this report.

#### **RISK IMPLICATIONS**

There are no direct risk implications associated with considering this report.

#### **CONCLUSION**

This report includes the minutes of the AGM and details the motions which were passed at the meeting for Council consideration.

#### **ATTACHMENTS**

1. Minutes - Annual General Meeting - 9 December 2019

#### **RECOMMENDATION**

That Council note the minutes from Council's 2019 Annual General Meeting (AGM) and having considered the four motions from the meeting, schedule a workshop session to:

1. review Council's approach regarding items considered in Closed session; and
2. consider options that are within Council's control to ensure the AGM is held as early as possible each year.

Author:	Jacqui Surtees	Endorsed By:	Matthew Atkins
Position:	Executive Officer	Position:	Acting General Manager

Page 1 of 6

**MINUTES OF DEVONPORT CITY COUNCIL'S ANNUAL GENERAL MEETING  
HELD IN ABERDEEN ROOM, LEVEL 2, PARANAPLE CENTRE, 137 ROOKE STREET, DEVONPORT  
ON MONDAY, 9 DECEMBER 2019 COMMENCING AT 5:00PM**

**PRESENT:****Councillors:**

Cr A Rockliff (Mayor)  
Cr A Jarman (Deputy Mayor)  
Cr J Alexiou  
Cr G Enniss (from 5:17pm)  
Cr P Hollister  
Cr L Laycock  
Cr S Milbourne  
Cr L Murphy  
Cr L Perry

**Council Officers:**

Acting General Manager, M Atkins  
Executive Manager Corporate Services, J Griffith  
Executive Manager Organisational Development, K Peebles  
Executive Officer, J Surtees

**Electors:**

Robyn Woolsey	Phil Parsons	Jennie Claire
Kylie Lunson	Malcolm Gardam	Kerry Wescombe
Michael Williams	Chris Mills	David Thorp
Chris Murfett	Rodney Russell	Kerry Stubbs
Anne Murfett	Mark Bakowski	Graeme Nevin
Douglas Janney	Gordon Youett	Lindy Nevin
Graham Kent	Peter Stegmann	Fay Foster
Pat Kent	Susan Stegmann	Anne Stegmann
Rodney Russell	Anna Smith	Matthew Smith
Kees Kuys	Michelle Hansen	Andrew Stegmann
Bob Vellacott	Angie Poelman	Susan McEwen
Ken Clarke	Juanita Cooper	Vanessa Lake
Greg Marshall	Tim McGee	

**Other:**

Joshua Jackson  
Dave Race

Karen Hampton

**Audio Recording:**

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

**1.0 APOLOGIES**

Nil

**2.0 CONFIRMATION OF MINUTES**

Page 2 of 6

**2.1 ANNUAL GENERAL MEETING - 10 DECEMBER 2018****RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Alexiou

That the minutes of the Annual General Meeting held on 10 December 2018 as circulated be confirmed.

CARRIED UNANIMOUSLY

**3.0 RECEIPT OF ANNUAL REPORT****3.1 ANNUAL REPORT 2019****RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Milbourne

That the 2019 Devonport City Council Annual Report be received.

CARRIED UNANIMOUSLY

**QUESTIONS ON ANNUAL REPORT****DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT**

Statement - The Annual Report is for the year 2019 ending on the 30<sup>th</sup> June and that is what is said somewhere in the agenda. Summary: the Capital Report for the Year ended 30 June 2019. The General Manager's report on page 5 column 2 paragraph 1 refers to an event after the 30<sup>th</sup> June.

**4.0 NOTICES OF MOTION****4.1 CONTRACTS AND AGREEMENTS - NOTICE OF MOTION - MR BOB VELLACOTT****RESOLUTION**

MOVED: Bob Vellacott

SECONDED: Malcolm Gardam

That in accord with Council's policy of openness and transparency council is hereby requested to formulate a policy whereby, except on rare occasions, all contracts and agreements such as like those listed are dealt with in open Council and are available for public perusal that is -

- The Leasing - of properties including head leases;
- Employment of - consultants of various professions, managers, food ambassadors, architects, engineers;
- Purchasing of goods and other services;
- Sale and purchasing of properties;
- Building and construction of infrastructure; and
- including any other contract or supply other than an agreement/contract of a real personal nature or any that could be subject to litigation.

Page 3 of 6

The motion was debated and put and
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FOR: 27
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AGAINST: 14
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CARRIED

## 5.0 PUBLIC QUESTIONS/COMMENTS/MOTIONS WITHOUT NOTICE

### ANGIE POELMAN – 76 GUNN STREET, DEVONPORT

The question I would like to ask and there has been some discussion about Providore Place here today. Now that the lease issue has been resolved will Council commit to undertaking a comprehensive press/media campaign to restore public confidence in Providore Place as a valued community asset?

#### Response

The Mayor advised that the question would be taken on notice and a response provided in writing.

### MALCOLM GARDAM – 4 BEAMONT DRIVE, MIANDETTA

On recently reviewing a set of Adopted Minutes from the Moree Plains Shire Council (NSW) I might add without having to provide reason to obtain, it was interesting how that Council fully records the process and resolution for **each separate matter to be voted on to go into Closed Session** but what really struck me was that it also recorded in the Adopted Minutes the resolutions as passed in Closed Session. As an example from the Minutes of the 12<sup>th</sup> November 2015 it disclosed that:

1. "That Council reject the request of Projects and Infrastructure to vary the Development Management Agreement as articulated in their letter dated 9 September 2015.
2. That the General Manager be given delegated authority to resolve this matter in accordance with Council's legal advice."

How different this is to the Devonport Council's approach where the separate matters to be discussed in Closed Session are voted on as one, the separate matters are often described so broadly under the heading "Matter" (eg Providore Place Operations, Providore Place and Food Pavilion Update) rendering it meaningless and then a scant explanation, if any, under the heading "Outcome". There was no meaningful "Outcome" recorded when the Providore Place rent reprieve was secretly approved prior to the October 2018 council elections.

**Q1. My question is When is Devonport Council going to take it's mandated obligations to be "transparent and accountable" seriously by amending its processes and attitude relating to Closed Session discussions and provide adequate public disclosures?**

#### Response

The Mayor advised that she would take it as a comment.

**Q2.** Thanks to the Report of the Auditor-General No. 1 of 2019-20 much has now been exposed, but not all, in relation to what has proven to be a grossly deficient head lease agreement entered into by Council in the full knowledge, among other matters, that the lease was primarily drafted by Projects & Infrastructure whose key operatives were owners and directors of Providore Place Devonport Pty Ltd, the Head Lessee...

#### Response

The Mayor advised as the item has been discussed at length, she was not prepared to accept the question unless Mr Gardam would like to put it in writing.

Page 4 of 6

**KEES KUYIS – 20 COOMERA CRESCENT, DEVONPORT**

**Q1** What is the situation regarding the bus booking office situated in Providore Place, is it a temporary or a permanent arrangement and if it is a permanent arrangement does it comply with the conditions of the Australian Government Grant and the Council's Head Lease Agreement?

**Response**

The Acting General Manager advised that from Council's point of view, yes, it fits in with our obligations with the Australian Government Grant. As to the details of the arrangement between Redline, State Growth and the operator of Providore Place, Council is not privy to any of those details. I am aware that it is for an eighteen month period, but the bus contract is a State Government one with Redline.

**PETER STEGMANN – 118 RIVER ROAD, AMBLESIDE**

**Q1** Council claimed that the food pavilion at Providore Place was to be a major catalyst for the success of LIVING CITY. Given it does not feature in the 2020 Food Guide, or the Tasmanian Farmers Rural Events Markets calendar, when does Council expect this to materialise?

**Response**

The Mayor advised that Council has made it quite clear that it understands that it hasn't got to where we expect it to and we will continue to work on it.

**Q2** I believe the current Waterfront plan has been poorly marketed to the ratepayers, I don't think they understand exactly what is happening down there. My question is, could Council please explain their reasoning for placing a playground, sandwiched between a river and a railway line, with the primary access across the railway line and a considerable distance from the CBD and the main parking area?

**Response**

The Mayor stated that Council has discussed this at length, but we will certainly respond in writing to you.

**DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT**

I have a little bit of confusion that I want cleared up to start with. Section 5 in tonight's agenda Public Question Time talks about questions. It doesn't talk about motions, it doesn't talk about comments. I have half a dozen comments, if they take two minutes each is that acceptable?

**Comment**

The comment that I have relates to these two screens that the public gallery can see. The print there is not readable, it needs to be larger.

**Response**

The Mayor advised that the comment has been taken on board.

**Comment**

I observe that the sliding doors at the front of the paranaque centre now have closing direction arrows. This is some 14 months after the Centre opened and 8 months after I raised the matter at the Infrastructure Works and Development Committee on the 8<sup>th</sup> April 2019. Finally, some sense has prevailed.

**Q1** What is the annualised cost of the multi-story car park lighting?

**Response**

The Mayor advised that the question would be taken on notice and a response provided in writing.

Page 5 of 6

**MOTION**

MOVER: Douglas Janney

SECONDER: Peter Stegmann

The Council make every effort to have the ensuing AGM's within four weeks of the Auditor General's report date but no later than the end of October.

The motion was debated and put and
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FOR: 24

AGAINST: 3

CARRIED

**JENNIE CLAIRE – 57 GUNN STREET, DEVONPORT****MOTION**

MOVER: Jennie Claire

SECONDER: Vanessa Lake

The motion I wish to put forward tonight is that the Devonport City Council move the toilet block, BBQ and playground in the Waterfront Park to a location on the western side of the railway line.

Cr Murphy declared a conflict of interest and left the meeting at 5:51pm.

The motion was debated and put and
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FOR: 15

AGAINST: 14

CARRIED

Cr Murphy returned to the meeting at 6:09pm.

**BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

As of this date has Providore Place Devonport Pty Ltd complied with all their obligations as per the new Head Lease Agreement?

**Response**

The Mayor advised that is a commercial in confidence matter and you knew the answer to that question, before you asked it.

**MALCOM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA**

**Q3.** It is rumoured that an "uplift provision" was supposedly included in a Development Management Agreement between a mainland Council and its Development Manager for a development project. The provision supposedly provided for a 30% portion of any "uplift" value in the properties sold, being 30% of the difference between the sale proceeds and the raw value of land (excluding subdivision construction cost), was to be paid to the Development Manager. Regardless of the actual existence of that arrangement or not and with the initial Providore Place head lease agreement now surrendered and defunct, my question is "did Devonport City Council agree to an "uplift provision" or similar arrangement within the initial and supposedly a 10 year Term food pavilion head lease agreement that provided a potential "uplifted valued" return, in kind or similar, to Providore Place Devonport Pty Ltd on the sale of the food pavilion and if so what was the percentage agreed to?"

**Response**

The Mayor advised that it was a question that had been asked and answered, but that it would taken on notice and a response provided in writing.

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Minutes of Annual General Meeting held 9 December 2019

Page 6 of 6

**MR GRAEME NEVIN, 145 PERCY STREET, DEVONPORT****MOTION**

MOVER: Graeme Nevin

SECONDER: Malcolm Gardam

that Council adopt as policy a commitment to the following key principles:

Firstly, a commitment to good governance and in particular the eight major characteristics of good governance, namely good governance is:

1. Accountable
2. Transparent
3. Law abiding
4. Responsive
5. Equitable
6. Participatory and inclusive
7. Effective and efficient
8. Consensus orientated

and

Secondly, a commitment that closed meetings of Council should be avoided whenever possible to preserve transparency and accountability.

The motion was debated and put and

FOR: 37

AGAINST: 0

CARRIED UNANIMOUSLY

**There being no further business the Mayor declared the meeting closed at 6:24pm.**

Confirmed

Chairperson

## **5.3 CORPORATE CLIMATE CHANGE ADAPTATION PLAN - YEAR ONE STATUS**

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

Council's Strategic Plan 2009-2030:

Strategy 1.2.2 Develop and implement local and regional policies and initiatives to mitigate climate change impacts in partnership with all spheres of Government

### **SUMMARY**

To report progress on the actions in the Corporate Climate Change Adaptation Plan 2018-2023 to Council.

### **BACKGROUND**

The Plan aims to improve the capability of the Council to manage corporate risks associated with climate change that are within the Council's sphere of influence.

The development of the Plan is based upon climate projection data, specific to Devonport, provided by the Antarctic Climate and Ecosystems Cooperative Research Centre 'Climate Futures for Tasmania' program.

The Plan presents summarised scientific climate projections, risk statements, and adaptation actions for four key climate change impacts: Rainfall; Sea Level Rise and Storm Tide; Heat; and Bushfire.

Council noted the Plan at the meeting held 26 March 2018 (Min No 52/18 refers).

### **STATUTORY REQUIREMENTS**

There are no statutory requirements in relation to this report.

### **DISCUSSION**

Achievements for the first year of implementation of the Plan are outlined in the attached document.

Four of the twenty-four actions over the five-year plan have been completed to date, two are in progress, fourteen are ongoing, three have not commenced, and one did not require any action.

Key progress includes:

#### **1. Rainfall**

- Revegetation of Don River riparian zone south of Bass Highway to reduce the velocity of overland flow during more intense, short duration rain events resulting in erosion of waterways and sedimentation downstream.

#### **2. Sea Level Rise and Storm Tide**

- Improved understanding of vulnerability of Council assets using mapping data to reduce costs associated with extreme storm tide events resulting in foreshore erosion and inundation impacting on Council owned and managed reserves, parks and facilities.



**3. Bushfire**

- Completion and implementation of Kelcey Tier and Don Reserve Bushfire Management Plans to reduce bushfire risk to public safety and property.

**4. Other**

- Council's Business Continuity Plan includes alternative business locations with alternative power supplies for Council to coordinate emergency management responses in the event of extreme weather.

**5. Strategic**

- Climate change risk management is integrated with Council's existing risk assessment framework.
- Climate change risks and impacts are integrated with other Council's plans and strategies including the 2019/20 annual plan.

**COMMUNITY ENGAGEMENT**

As an internal corporate plan, no community engagement was undertaken in preparation of this report.

**FINANCIAL IMPLICATIONS**

Several actions in the Plan are undertaken as part of usual business operations, and hence are budgeted for in the annual operational budget. Some actions may require a specific allocation in future operational and capital budgets that will be considered on an annual basis as part of Council's budgetary process.

**RISK IMPLICATIONS**

- **Asset & Property Infrastructure**  
Increased damage to Council's assets and infrastructure may result from extreme weather events. Actions to mitigate this risk are outlined in the plan.
- **Environmental Sustainability**  
Changes in climatic conditions may negatively impact on Devonport's environmental values and biodiversity. These have been factored into the plan.
- **Emergency Business Continuity**  
Increased extreme weather events resulting in power outages and telecommunications failure to Council buildings and assets may result in an inability of the Council to coordinate and deliver services and emergency management responses placing the community at risk. Council's Business Continuity Plan outlines strategies to address this.
- **Risk Reporting**  
Adaptation actions have been integrated into Council's risk register and will be reported through Council's risk reporting process.

**CONCLUSION**

The Corporate Climate Change Adaptation Plan 2018-2023 uses a risk management approach to climate change impacts, based on available scientific data, local knowledge, and internal expertise. Progress has been made during the first year of the Plan's implementation.

**ATTACHMENTS**

1. Corporate Climate Change Adaptation Plan Status 2019

**RECOMMENDATION**

That Council receive the report of the Executive Officer Community Services and the status of actions listed in the Corporate Climate Change Adaptation Plan 2018-2023 be noted.

Author:	Carol Bryant	Endorsed By:	Matthew Atkins
Position:	Executive Officer Community Services	Position:	Acting General Manager

## Corporate Climate Change Adaptation Plan – Actions Status 2019

This report presents the Devonport City Council's risk statements, adaptation actions, and progress during 2018/19 for the priority climate change risk areas: Rainfall; Sea Level Rise and Storm Tide; Heat; and Bushfire.

### 1. Rainfall Risks

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Stormwater system becoming under capacity in areas as a result of more intense, short duration rain events, leading to an increased requirement for upgrade or replacement.	Extreme	Adequately resource the Action Plan accompanying the revised Stormwater Strategy - in particular, flood modelling of priority areas	Within a year	High	<b>In progress</b> Stormwater Strategy under review and hydraulic modelling of stormwater catchments nearing completion
		Continue preventative practices prior to and during extreme events e.g. clearing gutters and drains	Immediate	High	<b>Ongoing</b> Known 'hot spots' are inspected prior to major events. Improvement in documentation and schedules planned for coming year.
Increased rainfall / severe weather events leading to increased damage to infrastructure and roads resulting in increased maintenance and clean up costs	High	Increase resources towards monitoring and maintenance activities	Within 5 years	High	<b>Ongoing</b>

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Riparian vegetated buffers to waterways are insufficient to reduce velocity of overland flow during more intense, short duration rain events resulting in erosion of waterways and sedimentation downstream	High	Provide information to relevant sections of the community on the function of the catchments and buffers to waterways with the aim of retaining or revegetating riparian zones	Within a year	Moderate	<b>Ongoing</b> Community engaged in delivery of specific projects such as the revegetation of Don River riparian zone south of Bass Highway
		Maintain and where required revegetate riparian zones on Council owned and managed land	Within a year	Moderate	<b>Ongoing</b> Don River - 1825 local native species planted in 2018, 250 planted in 2019 winter
Increase in rainfall / flooding / high wind and other severe weather events leading to increased deterioration of roads, bridges, coastal and park infrastructure (e.g. trees, pontoons) resulting in heightened public safety concerns	Extreme	Assess tree damage after high wind & rain events	Immediate	Moderate	<b>Ongoing</b> Scheduled and targeted inspections are undertaken. Improvement in documentation and schedules planned for the coming year.

## 2. Sea Level Rise and Storm Surge Risks

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Extreme storm tide events resulting in foreshore erosion and inundation impacting on council owned and managed reserves, parks and facilities resulting in increased costs to the council	High	Advocate to the Cradle Coast Authority (CCA) for a coastal vulnerability study of council assets across the region or state- wide	Within 5 years	Moderate	<b>In progress</b> Coastal erosion was discussed at the CCA Representatives meeting held 28 February 2019. 100-year sea level rise scenarios can be found on the on the Coastal Risk website <a href="http://www.coastalrisk.com.au">www.coastalrisk.com.au</a> . Various other reports include scenario maps developed in mid 2000s. Council uses existing information to assess coastal vulnerability of Council and private assets based on current information.
Sea level rise and increased coastal inundation during storm tide events resulting in areas becoming unsuitable for development or certain land-uses requiring rezoning through the Council's planning system and preparing for potential litigation issues for the Council	High	Abide with relevant codes of the Tasmanian Planning Scheme	Immediate	Moderate	<b>Ongoing</b> Tasmanian Planning Scheme codes are abided by
Increased coastal inundation during storm tide events resulting in inundation of Council owned and managed reserves resulting in environmental degradation and loss of coastal values	Moderate	Assess risks, prioritise works and implement dune / foreshore restoration programmes as required	Long term	Low	<b>Ongoing</b> Capital works allocations made to repair damage as required

**3. Heat Risks**

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Increase in vector-borne illness which will have an adverse effect on public health leading to increased pressure on the public health system and potential spread of disease	Moderate	Comply with and support the direction provided by Tasmanian Government Public Health Services	Long term	Low	<b>No action required</b>
Increased temperatures leading to increased risk of sunburn and heat stress for users of council's public open space resulting in potential public liability claims and public complaints	Moderate	Ensure sufficient shade - natural or built - is available or planned for when developing new facilities in public open space	Long term	Low	<b>Not commenced</b>

## 4. Bushfire Risks

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Increased likelihood and severity of bushfire across the Council's municipal area severely impacting on private property and businesses leading to increased costs	High	Alignment of bushfire management plans for council owned land to ensure appropriate and coordinated fire mitigation practices	Immediate	High	<b>Complete</b> Reduce ri
Increased temperatures resulting in an increased bushfire risk leading to public safety concerns	Extreme	Improve emergency management & community disaster preparedness and response	Immediate	High	<b>Ongoing</b> Council continue to work with emergency services to improve the community's disaster preparedness and response including distribution on information to target audiences and establishing formal agreements with other organisations
Altered fire regimes leading to a change in ecosystem function and reducing resilience of native flora/fauna/communities, particularly threatened species	Moderate	Implement prescribed burning regimes dictated by appropriate bushfire management plans, when resources are available	Long term	Moderate	<b>Ongoing</b> Fuel reduction burns performed in accordance with the Don Reserve and Kelcey Tier Bushfire Management Plans

## 5. Other Risks

Risk	Risk level	Adaptation Action	Timeline	Treated risk level	Status 30 June 2019
Increased extreme weather events resulting in power outages and telecommunications failure to Council buildings and assets resulting in an inability of the Council to coordinate and deliver services and emergency management responses placing the community at risk	High	In accordance with the Business Continuity Plan identify alternative business locations and power supplies to enable continuous operations	Within a year	Moderate	<b>Complete</b> Council's Business Continuity Plan identifies alternative business locations; alternative power supplies have been installed at those locations to enable continuous operations
Increase in severe weather events across the region impacting on the capacity of state emergency services to respond to Devonport events resulting in resourcing challenges for Council	High	In line with Council's Business Continuity Plan, prioritise Council's service delivery, including reassigning employees to priority tasks	Within 5 years	Moderate	<b>Complete</b>
		Develop a volunteer register and provide relevant training for volunteers to assist with basic tasks in the event of an emergency	Within 5 years	Moderate	<b>Not commenced</b>



## 6. Strategic Corporate Adaptation Actions

Strategic priorities are broad level climate change adaptation actions that do not specifically address a particular area or risk and fall across numerous Council service areas. There are key overarching corporate functions that are worth considering for minimising the Council's risk in the face of extreme events posed by climate change.

Action	Status 30 June 2019
<b>Ensure legal liability issues are addressed</b> The legal advice established for Tasmanian councils is covered in Section 4	<b>Ongoing</b> To be addressed at a regional and/or state level
<b>Update Council's risk register</b> Integrate climate change risk management into the Council's existing risk assessment framework and migrate treated risks to the risk register	<b>Ongoing</b> Risks have been integrated with Council's risk register
<b>Emergency management planning in relation to climate hazards</b> Ensure that the projected impacts of climate change are properly considered in the Council's emergency management planning processes.	<b>Ongoing</b> Projections are presented and discussed at the Mersey Leven Emergency Management Committee
<b>Implement communication strategy</b> Develop and implement a climate change communication and education plan for the Council's staff. Increased staff capacity and awareness will assist in incorporating climate change scenarios and impacts into policy and decision making processes.	<b>Not commenced</b> To be progressed when resources are available
<b>Incorporate identified actions into other Council plans &amp; strategies</b> Consideration of climate change risks and impacts in other Council strategies, policies and plans (such as Strategic & Annual Plan). The climate change impacts, and risk process outlined throughout the Adaptation Plan should be considered in the development of future plans, policies and strategies. This will also ensure there are a range of potential internal mechanisms for important actions to be implemented.	<b>Ongoing</b> This plan integrates with several other council documents and processes. Further direction to be considered as part of the recommendations of the Tasmanian Climate Change Office Climate Resilient Council's project.
<b>Annual reporting</b> Consider developing climate change related Key Performance Indicators that could be reported on through the Council's annual report	<b>Not commenced</b> To be considered as part of the implementation of Council's Environmental Strategy
<b>Climate Change Champion</b> Appoint a climate change champion supported by a cross Council team to implement the Adaptation Plan	<b>Ongoing</b> A Council Officer oversees implementation of the plan

## **5.4 UNCONFIRMED MINUTES - AUDIT PANEL - 18 NOVEMBER 2019**

### **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**

To report the unconfirmed minutes of the Audit Panel meeting held on 18 November 2019.

### **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 unconfirmed minutes of the Devonport City Council Audit Panel meeting held on 18 November 2019 are attached for information.

Items of note discussed at the meeting include:

- The Auditor General's Memorandum of Findings, and the LIVING CITY Report;
- Council's Risk & Compliance Coordinator provided an overview of the Risk Management environment at Council; and
- the October Finance Report.

### **COMMUNITY ENGAGEMENT**

There was no community engagement undertaken as a result 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 state of affairs of the Council;
  - the Strategic Plan, Annual Plan, long-term financial management plan and 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 minutes of the Audit Panel meeting held on 18 November 2019 are presented to Council as per the recommendation below.

## ATTACHMENTS

1. Unconfirmed Audit Panel Minutes - 18 November 2019

## RECOMMENDATION

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 18 November 2019.

Author:	Jacqui Surtees	Endorsed By:	Matthew Atkins
Position:	Executive Officer	Position:	Acting General Manager

## DEVONPORT CITY COUNCIL

## AUDIT PANEL

Unconfirmed minutes of meeting held Monday 18 November 2019  
at Central Coast Council commencing at 11:00am

**1. Attendance/Apologies**

Members – Robert Atkinson (Chair), Tom Hughes, Cr Leigh Murphy, Cr Leon Perry

Officers – Matthew Atkins (Acting General Manager), Kym Peebles (Executive Manager Organisational Performance), Jeffrey Griffith (Executive Manager Corporate Services), Joshua Jackson (Finance Manager), Karen Stone (Risk & Compliance Coordinator)

In Attendance: Jan Lynch (Tasmanian Audit Office)

**2. Declarations of Interest**

MA declared an interest in Item 6.3

**3. Confirmation of Minutes****3.1 Confirmation of Shared Audit Panel Meeting held 14 August 2019**

Moved: L Perry 2<sup>nd</sup>: L Murphy that the Panel accept the minutes as a correct record of the meeting held 14 August 2019.

Resolved unanimously

**3.2 Business Arising**

Review of Action Sheet – the Panel noted the Action Sheet and KP agreed to update the wording in Item 4.2 of the Meeting held 14 August 2019 in relation to depreciation.

**Action**

**4. Reports for Discussion****4.1 Auditor General – Memorandum of Findings**

Jan Lynch from the Tasmanian Audit Office provided an overview of the Final Memorandum of Audit Findings, including the adjustments as noted of the "scoresheet" in the Report to those Charged with Governance. The Panel noted the adjustments made to the financial statements prior to the final audit report and signed by the Auditor-General.

As a result of the discussion that followed the presentation, the Chairman requested a presentation on the asset valuation methodology at the June 2020 meeting.

**Action**

Ms Lynch also provided an update on the timing to the annual Report to Parliament regarding Local Government Authorities. The Report has been delayed and at this stage it is anticipated to be tabled in Parliament in the new year and will be a more condensed version compared to previous reports. The Report will not contain a separate chapter for each council but will still contain the comparison tables of key performance indicators. A draft will be circulated for comment prior to finalisation.

Ms Lynch left the meeting at 11.45am.

The Panel agreed to move to agenda item 4.3.

**4.3 Risk Management Presentation**

Karen Stone(KS) – Risk & Compliance Co-ordinator provided a presentation of the current risk management framework relative to Council (presentation circulated previously). The presentation touched on all aspects of risk management within Council and the current review of the operational and strategic risk register. KS agreed to present the risk register to the Panel following completion of the review.

**Action**

KS left the meeting at 12.33pm

**4.2 Auditor General Report – LIVING CITY**

The Chairman advised that since the release of the Auditor-General's report regarding the LIVING CITY project, he had met with the Mayor to discuss the findings of the report.

The Panel and Council staff discussed the implications on decision making within Council arising from the report. The Chairman noted the quantity and nature of decisions made by staff daily and the expectation that senior members of staff utilise their knowledge, skills and experience in these situations.

KP advised that work had commenced to address the recommendations and will provide regular updates to the Panel on progress to implement the recommendations.

**Action**

**5. Reports for Information**

**5.1 Risk Management**

The Panel noted a potential claim against Council as detailed in the report provided.

**5.2 Major Projects Update**

**5.2.1 LIVING CITY**

MA provided an update to the Fairbrother Quarterly Progress report tabled at the October Council meeting.

**5.3 October Finance Report**

The Panel discussed the October Finance report as presented. The Chairman requested further information of the variance between closing accumulated surpluses and the opening balance reflected on the Statement of Financial Position; and the treatment of the Dulverton dividend reflected as revenue.

**Action**

**5.4 Annual Report & AGM**

The Panel noted the Annual Report document and the date of the AGM.

**6. General Business****6.1 2019 Audit Panel Evaluation Process**

The Panel agreed to the proposed format for the annual self-assessment process. The Chairman requested that completed assessment forms be returned to Jacqui Surtees by Tuesday 24 December.

**Action****6.2 2020 Work Plan**

The Panel agreed that the current 2019 audit workplan be used again in 2020. The Chairman requested that staff consult with Central Coast Council and select a topic per meeting and provide a detailed presentation in addition to the standing agenda items identified for each meeting. The Panel agreed to the following schedule:

March meeting      Governance

June meeting      Asset Revaluation methodology

August meeting      To be determined

November meeting      To be determined

Council staff will prepare a draft and circulate to Panel members for feedback prior to adoption in March.

**Action****6.3 General Manager Recruitment**

MA left the meeting at 12.55pm

KP provided an overview of the process including key dates as provided by the recruitment consultant.

**Meeting closed:** 1.02pm

**Next Meeting:** To be determined

## 6.0 INFORMATION

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

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

Date	Description	Purpose
11/11/2019	Digital Security Training	An overview of how to minimise digital security risks was presented.
	Devonport Gymnastics Club	Consideration of future use of the Devonport Gymnastics Club site at Forbes Street, Devonport.
	Crash Data – Steele Street/Don Road Intersection	An update was provided to the Councillors
2/12/2019	LIVING CITY Hotel Update	Update on Waterfront Hotel provided to Council.
	Tourist Train	Exploration of opportunities for family/ tourist friendly public transport between prime tourist activities/spots.
	Prints on Bins	Discussion on suggestion relating to printing of images on bins around Devonport.
	Visit Devonport Website	Overview of new 'Visit Devonport' website provided to Councillors.
	LGAT Agenda	Discussion on Council's view on items listed on the LGAT General Meeting to be held 6 December 2019.

## RECOMMENDATION

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

Author: Position:	Robyn Woolsey Executive Assistant General Management	Endorsed By: Position:	Matthew Atkins Acting General Manager
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## 6.2 MAYOR'S MONTHLY 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 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 21 November and 11 December 2019:

- Council meeting, Various Council Committees, Special Interest Group and Working Group meetings and workshops as required.
- Meetings with staff members and Councillors as requested.
- Media as requested: 7AD and Sea FM
- Met with community members on a range of issues.
- Welcomed participants to the first in a series of 'Community Conversations' initiated by the Live & Learn Steering Committee.
- Visited Nixon Street Primary School Fair
- Attended the opening of the RACE Portrait Prize Exhibition
- Attended combined Crescendo Choir/Sing Australia concert in Providore Place
- Attended Devonport Touch Football Association 40<sup>th</sup> Anniversary Dinner
- Attended Petuna Seafoods 70<sup>th</sup> Anniversary celebrations
- Attended Cradle Coast Authority AGM and Representatives meeting
- Attended Dulverton Waste Management Authority AGM and Representatives meeting
- Attended Day of Disability Expo in Providore Place
- Participated in Walk the Talk – raising awareness of the issue of domestic violence
- Attended Devonport Greyhound Racing Club Cup meeting
- Participated in Mayors' meeting facilitated by LGAT
- With the Acting General Manager attended LGAT general meeting
- Attended Cycle Tasmania Criterium event
- Attended ALGWA event at Home Hill to celebrate 100 years since the first woman was elected to local government.
- Attended Christmas in the East at Pioneer Park
- Attended Carols by Candlelight
- Attended Arboretum Committee meeting
- Attended Christmas lunch with participants of Council's Seniors Wellbeing program
- Met with Anita Dow and University staff re Children's University programme
- Attended Mersey Emergency Management Committee meeting



**Report to Council meeting on 16 December 2019**

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- Performed a private citizenship ceremony for a family of four
- Attended Christmas Parade
- Attended launch of the paranapple arts centre programme for 2020

**ATTACHMENTS**

Nil

**RECOMMENDATION**

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

## 6.3 GENERAL MANAGER'S REPORT - DECEMBER 2019

### 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 Acting General Manager, between 21 November and 11 December 2019. 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. Met with a software provider in regard to options to improve Council's meeting agenda software.
- 1.4. Met with the Head Lessee of Providore Place.

#### 2. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 2.1. Met with a member of the public regarding feedback on a planning and building permit process.
- 2.2. Met with a concerned member of the public in regard to the Don Heads route of the Coastal Pathway.

#### 3. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 3.1. Presented at the LG Professionals Legal & Property Special Interest Group regarding the complexities of property matters relating to the paranapple centre.
- 3.2. Attended the Project Control Group meeting for the Coastal Pathway project.
- 3.3. With the Mayor and Deputy Mayor attended the Cradle Coast Authority AGM and Representatives meetings.
- 3.4. With the Mayor attended the Dulverton Regional Waste Management Authority AGM and Representatives meetings.

4. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 4.1. With the Mayor attended the LGAT General Meeting and a follow up workshop discussion with the Federal Minister for Local Government, Mark Coulton MP.

5. OTHER

- 5.1. Along with Elected Members and Senior Council staff, assisted with hosting a volunteers breakfast at the East Devonport Recreation Centre.

**COMMUNITY ENGAGEMENT**

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

**FINANCIAL IMPLICATIONS**

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

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

**RISK IMPLICATIONS**

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

**CONCLUSION**

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

**ATTACHMENTS**

1. Current and Previous Minute Resolutions Update - December 2019
2. CONFIDENTIAL - Current and Previous Minute Resolutions Update - Confidential December 2019

**RECOMMENDATION**

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

Author:	Matthew Atkins
Position:	Acting General Manager

## Current and Previous Minute Resolutions Update

OPEN SESSION Current Resolutions	
<b>Resolution Title:</b>	<b>Tender Report Contract 1336 Waste Transfer</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	239/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Infrastructure and Works Manager
<b>Officers Comments:</b>	Contracts exchanged
<b>Resolution Title:</b>	<b>Tender Report Contract CT0264 Victoria Street Renewal</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	240/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Infrastructure and Works Manager
<b>Officers Comments:</b>	Contracts exchanged
<b>Resolution Title:</b>	<b>Tender Report Contract CT0265 Holyman Street Renewal</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	241/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Infrastructure and Works Manager
<b>Officers Comments:</b>	Contracts exchanged
<b>Resolution Title:</b>	<b>Tender Report Contract CT0267 Fenton &amp; Stewart Street Roundabout</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	242/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Infrastructure and Works Manager
<b>Officers Comments:</b>	Contracts exchanged
<b>Resolution Title:</b>	<b>Disability Inclusion Plan 2020-2025 – Draft</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	243/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Executive Officer Economic Development
<b>Officers Comments:</b>	Report recommendation confirmed at Council meeting

<b>Resolution Title:</b>	<b>Taste the Harvest – Financial Support</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	244/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Community Services Manager
<b>Officers Comments:</b>	Report recommendation confirmed at Council meeting
<b>Resolution Title:</b>	<b>Health &amp; Safety Policy (GFC 65/19 – Governance Finance &amp; Community Services – 18 November 2019)</b>
<b>Date:</b>	25 November 2019
<b>Minute No.:</b>	248/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Executive Officer
<b>Officers Comments:</b>	Policy finalised and uploaded to website

<b>Previous Resolutions Still Being Actioned</b>	
<b>Resolution Title:</b>	<b>Workshop – Tourism – Transport between Prime Tourist Activities and Venues – Notice of Motion – Cr G Ennis</b>
<b>Date:</b>	28 October 2019
<b>Minute No.:</b>	219/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Acting General Manager
<b>Officers Comments:</b>	Discussed at December Workshop.
<b>Resolution Title:</b>	<b>Disposal of Public Land at 93-95 Mary Street East Devonport to Melaleuca Home for the Aged Inc (D615112)</b>
<b>Date:</b>	23 September 2019
<b>Minute No.:</b>	196/19
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Executive Manager Organisational Performance
<b>Officers Comments:</b>	At the request of Melaleuca, the process has been placed on hold.
<b>Resolution Title:</b>	<b>Future Visitation – Australian Navy Ships – Notice of Motion – Ald L M Laycock (D549874)</b>
<b>Date:</b>	22 October 2018
<b>Minute No.:</b>	187/18
<b>Status:</b>	In progress
<b>Responsible Officer:</b>	Community Services Manager
<b>Officers Comments:</b>	Discussions commenced with TasPorts – Meeting held 2 August with Commander Bob Curtis.

<b>Resolution Title:</b>	<b>Disability/Equal Access and Inclusion (D491448)</b>
<b>Date:</b>	25 September 2017
<b>Minute No.:</b>	181/17
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Community Services Manager
<b>Officers Comments:</b>	Draft Disability Inclusion Plan presented to Council 25 November 2019

**7.0 SECTION 23 COMMITTEES****7.1 PLANNING AUTHORITY COMMITTEE MEETING - 2 DECEMBER 2019****RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

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

**SUMMARY**

The purpose of this report is to receive the minutes and note the recommendations provided to Council by the Planning Authority Committee meeting held on Monday, 2 December 2019.

**ATTACHMENTS**

1. Minutes - Planning Authority Committee - 2 December 2019

**RECOMMENDATION**

That the minutes of the Planning Authority Committee meeting held on Monday, 2 December 2019 be received and the recommendations contained therein be noted.

PAC 22/19 Planning Applications approved under Delegated Authority 1 October 2019 - 20 November 2019

PAC 23/19 PA2019.0169 Visitor Accommodation - 13A James Street Devonport

PAC 24/19 PA2019.0170 Residential (Multiple Dwellings x 2) - 111A Gunn Street Devonport

Author: Position:	Robyn Woolsey Executive Assistant Management	General	Endorsed By: Position:	Matthew Atkins Acting General Manager
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Page 1 of 4

**MINUTES OF A PLANNING AUTHORITY COMMITTEE MEETING OF THE DEVONPORT CITY COUNCIL HELD IN ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY, 2 DECEMBER 2019 COMMENCING AT 5:15PM**

**PRESENT:** Cr A Rockliff (Mayor) in the Chair  
 Cr J Alexiou  
 Cr P Hollister  
 Cr S Milbourne  
 Cr L Murphy  
 Cr L Perry

**Councillors in Attendance:**

Cr G Ennis  
 Cr A Jarman  
 Cr L Laycock

**Council Officers:**

Acting General Manager, M Atkins  
 Executive Manager Corporate Services, J Griffith  
 Executive Manager Organisational Performance, K Peebles  
 Development Services Manager, K Lunson  
 Planning Coordinator, S Warren  
 Planning Officer, A Mountney

**Audio Recording:**

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

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 DELEGATED APPROVALS**

**3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY 1 OCTOBER 2019 - 20 NOVEMBER 2019**

**PAC 22/19 RESOLUTION**

MOVED: Cr Hollister  
 SECONDED: Cr Alexiou

That the list of delegated approvals be received.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY



**4.0 DEVELOPMENT REPORTS****4.1 PA2019.0169 VISITOR ACCOMMODATION - 13A JAMES STREET DEVONPORT****PAC 23/19 RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Murphy

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0169 and grant a Permit to use land identified as 13a James Street, Devonport for the following purposes:

- Visitor Accommodation

Subject to the following condition:

1. The use is to be conducted in a manner that does not unreasonably result in a loss of amenity to adjoining neighbours.

Note: The following is provided for information purposes.

Should the business intend on providing food for guests, Council's Environmental Health Department must be contacted to allow consideration to be given to any requirements under the *Food Standards Code and the Food Act 2003*.

All measures are to be taken to prevent nuisance to neighbouring properties. Noise and matters are subject to provisions of the *Environmental Management and Pollution Control Act 1994*.

	For	Against		For	Against
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

**4.2 PA2019.0170 RESIDENTIAL (MULTIPLE DWELLINGS X 2) - 111A GUNN STREET DEVONPORT****PAC 24/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Milbourne

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0170 and grant a Permit to use and develop land identified as 111A Gunn Street, Devonport for the following purposes:

- Residential (multiple dwellings x 2)

Subject to the following conditions:

1. Unless requiring modifications by consequent conditions of this planning permit the use and development is to proceed and be undertaken in accordance with the submitted plans referenced as - Two Proposed Brick Veneer Units and new Carport with existing dwelling at 111A Gunn Street by Weeda Drafting & Building Consultants, Project 12019 dated October

Page 3 of 4

2019 - copies of which are attached and endorsed as documents forming part of this Planning Permit.

2. The developer is to comply with the conditions contained 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*.
3. The developer is to take all reasonable steps during construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and does not allow for burning of any waste materials.
4. The developer is to install a new stormwater connection to the site.
5. The developer is to incorporate on site stormwater detention for the development on site. This is to be detailed and designed by a suitably qualified hydraulic engineer to ensure stormwater discharge allows for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and range of storm durations to adequately identify peak discharge flows. The design is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention to the equivalent of at least 50% of the site being impervious. There is to be no overland flow discharge from the proposed development to any of the adjoining properties, for all the above nominated storm events. All design calculations are to be submitted for approval to the City Engineer prior to commencing construction on site.
6. The developer is to replace the existing concrete driveway with a new concrete driveway, including kerb and footpath crossover, generally in accordance with the IPWEA Tasmanian Standard Drawings and at a location suitable for the proposed development.
7. Internal driveway and parking is to be designed in accordance with the relevant off-street parking standard AS2890. Vehicular turning movements are to be demonstrated to meet the requirements of this standard, and clearly shown on the drawings submitted in subsequent building permit applications.
8. Prior to, or at the time of the building application the developer is to provide details of what privacy measures (screening or window treatments) will be specified to comply in the area between the driveway to the rear dwellings and the windows of the habitable rooms of the existing dwelling.
9. The proposed fence between the new carport and Unit 1 is to have non-transparent panels up to a minimum 1.7m in height.

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.

In regard to condition 3 this includes ensuring that noise emitted from portable apparatus and hours of operation are within the scope indicated by the *Environmental Management and Pollution Control (Noise) Regulations 2016*.

In regard to condition 4 works are to be at the developer's cost and installed generally in accordance with the relevant Tasmanian Standard Drawings and

Page 4 of 4

subject to inspection by Council's officers. Council must be contacted prior to backfilling the works.

In regard to condition 5 concentrated stormwater is to be controlled and discharged in accordance with the current NCC.

In regard to condition 6 any existing redundant driveway and associated infrastructure is to be demolished and reinstated to match adjoining infrastructure and generally in accordance with the relevant IPWEA Tasmanian Standard Drawings.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

In regard to condition 7 this is to include the possibility that the turning area in the southwest corner is used occasionally for visitor parking.

In regard to condition 9 additional privacy screening will be required if this parking space is reassigned for visitor parking.

The following street numbers are suggested to comply with AS/NZS 4819.2011 Rural and urban addressing:

- Proposed Unit 2 on the site plan should be Unit 1, 111A Gunn Street
- Proposed Unit 1 on the site plan should be Unit 2, 111A Gunn Street
- Existing Dwelling on the site plan should be Unit 3, 111A Gunn Street

	For	Against		For	Against
Cr Rockliff	✓		Cr Milbourne	✓	
Cr Alexiou	✓		Cr Murphy	✓	
Cr Hollister	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

**With no further business on the agenda the Chairperson declared the meeting closed at 5:20pm.**

Confirmed

Chairperson

## 7.2 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 9 DECEMBER 2019

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

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

### SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Infrastructure Works and Development Committee meeting held on Monday, 9 December 2019.

### ATTACHMENTS

1. Minutes - Infrastructure Works and Development - 9 December 2019

### RECOMMENDATION

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 9 December 2019 be received and the recommendations contained therein be adopted.

IWC 39/19	Stormwater System Management Plan
IWC 40/19	Pedestrian Bridge over Figure of Eight Creek - Report on Feasibility
IWC 41/19	Asset Management Strategy - Year Five Status Update
IWC 42/19	Squibbs Road Stormwater Improvements
IWC 43/19	Development and Health Services Report
IWC 44/19	Infrastructure and Works Report

Author: Position:	Robyn Woolsey Executive Assistant Management	General	Endorsed By: Position:	Matthew Atkins Acting General Manager
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Page 1 of 4

**MINUTES OF AN INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING OF THE  
DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, PARANAPLE CENTRE, 137  
ROOKE STREET, DEVONPORT ON MONDAY, 9 DECEMBER 2019 COMMENCING AT 6.30PM**

**PRESENT:** Cr L Perry (Chairperson)  
Cr G Enniss  
Cr P Hollister  
Cr A Jarman  
Cr L Laycock  
Cr L Murphy

**Councillors in Attendance:**

Cr J Alexiou  
Cr S Milbourne  
Cr A Rockliff

**Council Officers:**

Acting General Manager, M Atkins  
Executive Manager Corporate & Business Services, J Griffith  
Executive Manager Organisational Performance, K Peebles  
Development Services Manager, K Lunson  
Infrastructure and Works Manager, M Williams

**Audio Recording:**

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

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 PROCEDURAL**

**3.1 PUBLIC QUESTION TIME**

**CHRISTOPHER MILLS – 52 CAROLINE STREET, EAST DEVONPORT**

I am referring to the Notice of Meeting document dated 4 December. Item 6.1 Parks & Reserves Maintenance. May I refer you to item 6.1

I have two questions

**Q1** Are Councillors aware that this report has omitted the two most relevant facts?

Fact 1. This row of trees were stabilising a hazardous landslip zone. Previous Managerial staff have been of the view that these trees stabilised the slope and should not be removed.

Fact 2. The trees were on average some 12m away from the residential subdivision and any competent Tree Service could freely access the trees and remove them at any time. So the "saving of considerable cost and risk" is an issue which needs explanation.

Page 2 of 4

- Q2** There were two rows of these trees. The front row of trees were removed, but the second row of trees were left standing. All these trees are of the same age and type. Their purpose was to stabilise the landslip, removing half of them puts nearby properties at risk of landslide.

The question is, is there a qualified arborist's report that clarifies why the front row of trees are now claimed to have been in poor health, yet the second row of trees is in good health?

**Response**

The Chairperson advised that the questions would be taken on notice and a response provided in writing.

**RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

- Q1** I am seeking clarification on the colouring of various locations on the Devonport Visitor Centre's Visitor's Map (a copy was provided to the Chairperson).

**Response**

The Chairperson advised that the question would be taken on notice and a response provided in writing.

**3.2 QUESTIONS FROM COUNCILLORS**

Nil

**3.3 NOTICES OF MOTION**

Nil

**4.0 TENDERS**

Nil

**5.0 INFRASTRUCTURE AND WORKS REPORTS**

**5.1 STORMWATER SYSTEM MANAGEMENT PLAN**

**IWC 39/19 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Ennis

That it be recommended to Council that the report of the Infrastructure and Works Manager be noted and that the Stormwater System Management Plan be adopted.

	For	Against		For	Against
Cr Ennis	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

**5.2 PEDESTRIAN BRIDGE OVER FIGURE OF EIGHT CREEK - REPORT ON FEASIBILITY**

**IWC 40/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Murphy

That it be recommended to Council that the report of the Infrastructure and Works Manager be noted and that the objective, prioritisation and funding of

Page 3 of 4

a pedestrian bridge over Figure of Eight Creek be considered in the review of Council's Bike Riding Strategy scheduled for 2020-21.

	For	Against		For	Against
Cr Enniss	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

### 5.3 ASSET MANAGEMENT STRATEGY - YEAR FIVE STATUS UPDATE (D556405)

#### IWC 41/19 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Jarman

That it be recommended to Council that the report of the Infrastructure and Works Manager be received and Council note the status of actions listed in the Asset Management Strategy.

	For	Against		For	Against
Cr Enniss	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

### 5.4 SQUIBBS ROAD STORMWATER IMPROVEMENTS

#### IWC 42/19 RESOLUTION

MOVED: Cr Jarman

SECONDED: Cr Laycock

That it be recommended to Council that the report of the Infrastructure and Works Manager be received and that:

1. the allocation for the Squibbs Road Stormwater improvements be increased by \$68,334; and
2. it be noted the increase will be offset by savings in other stormwater projects from the 2019/20 works program.

	For	Against		For	Against
Cr Enniss	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

## 6.0 INFRASTRUCTURE AND WORKS BI-MONTHLY UPDATE

### 6.1 DEVELOPMENT AND HEALTH SERVICES REPORT

#### IWC 43/19 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Jarman

That it be recommended to Council that the Development and Health Services Report be received and noted.

Page 4 of 4

	For	Against		For	Against
Cr Enniss	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

**6.2 INFRASTRUCTURE AND WORKS REPORT (D615053)****IWC 44/19 RESOLUTION**

MOVED: Cr Laycock

SECONDED: Cr Murphy

That it be recommended to Council that the Infrastructure and Works report be received and noted.

	For	Against		For	Against
Cr Enniss	✓		Cr Hollister	✓	
Cr Jarman	✓		Cr Laycock	✓	
Cr Murphy	✓		Cr Perry	✓	

CARRIED UNANIMOUSLY

There being no further business on the agenda the Chairperson declared the meeting closed at 6:46pm.

Confirmed

Chairperson



## 8.0 CLOSED SESSION

### RECOMMENDATION

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Confirmation of Closed Minutes – Council Meeting – 25 November 2019	15(2)(g)
8.2	Application for Leave of Absence	15(2)(h)
8.3	Citizen Awards – Australia Day 2020	15(2)(g)
8.4	Unconfirmed Minutes – Joint Authorities	15(2)(g)
8.5	Providore Place Lease – Status Review	15(20)(i)
8.6	Consideration of Offer – Sale of 92 Formby Road Devonport	15(2)(f)

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## OUT OF CLOSED SESSION

### RECOMMENDATION

That Council:

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

Item No	Matter	Outcome
8.1	Confirmation of Closed Minutes - Council Meeting - 25 November 2019	Confirmed
8.2	Application for Leave of Absence	
8.3	Citizen Awards - Australia Day 2020	
8.4	Unconfirmed Minutes - Joint Authorities	Received and noted
8.5	Providore Place Lease - Status Review	
8.6	Consideration of Offer - Sale of 92 Formby Road Devonport	

## 9.0 CLOSURE

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