

**MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT
CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE
STREET, DEVONPORT ON MONDAY 25 OCTOBER 2021 COMMENCING AT 5:30 PM**

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:29pm	59 minutes
Closed Session	6:31pm	6:53pm	22 minutes
Total			1 hour 21 minutes

Present

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

Council Officers:

General Manager, M Atkins
Deputy General Manager, J Griffith
Executive Manager People & Finance, K Peebles
Executive Manager City Growth, M Skirving
Governance Officer, C Jordan
Development Services Manager, K Lunson
Community Services Manager, K Hampton
Convention & Arts Centre Director, G Dobson

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. and that the meeting was being live streamed on YouTube. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

1 APOLOGIES

There were no apologies received.

2 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

21/215 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Perry

That the minutes of the Council meeting held on 27 September 2021 as previously circulated be confirmed.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

21/216 RESOLUTION

MOVED: Cr Perry

SECONDED: Cr Laycock

That the responses to questions from Mr Vellacott, Mr Russell, Mr Smith, Mr Janney and Mr Gardam at the September Council meeting be noted.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

21/217 RESOLUTION

MOVED: Cr Alexiou

SECONDED: Cr Hollister

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

FOR: Cr Alexiou, Cr Ennis, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Rodney Russell 225 Steele Street, Devonport

Q1. After seeing so many shopping trolleys in front of the Devonport Regional Gallery, I approached the front staff of the Gallery at the Gallery who said they were in good contact with the supermarkets for their removal. My question is, is there anything more that Devonport City Council can do to prevent these trolleys from making their way so far from the supermarket?

Response The General Manager confirmed that Council are in regular contact with the supermarkets when abandoned trolleys are in the area.

The Mayor further advised that there is an online system that members of the public can also use to report to the supermarkets and that there is a link on our website.

Q2. In tonight's Agenda under Infrastructure and Works Report, I see Council's about to restrain the external timber cladding to the Devonport Surf Club.

Previously you have replaced three roller doors because of rusting. Question, do you have any plans in place to replace or repair the colorbond cladding damaged due to stones or kicking by unknown persons - that is the cladding that comes down the side?

Response The General Manager advised that there are no plans to do so at the moment.

Q3. At the last Council meeting, I asked if Council could remove the residue tape which had held the planning notice to the multi-story car park. The General Manager's response in writing was that he regarded the question as comment and would action only if considered necessary. Well, I took the Mayor's advice from the last meeting, and tried to remove it this afternoon. It won't come off. So, my question is, I think I have to leave it to the General Manager to take care of it.

Response The Mayor thanked Mr Russell for trying to remove the residue.

Trevor Smith, 7 Glen Court Devonport

- Q1.** The zebra pedestrian crossings at the Splash Aquatic Centre have faded to a poor condition. When will you be getting these pedestrian crossings painted to an acceptable standard?
- Q2.** How much money has been raised so far since you started selling off surplus assets to pay down the debt of the LIVING CITY?
- Q3.** The Council has been in the parnaple centre for at least three to four years now. Why is there a loose plastic hang of the windows on the western side of this building?

Response The General Manager responded to **Q3**, advising that the windows at the western end of the building have got some cracks in them, resulting from vandalism, and that the plastic has been placed over the cracks until such time as the replacement glass arrives.

The General Manager further responded to **Q2** by advising that Council is not selling any assets to pay debt on LIVING CITY, and that **Q1** will be taken on notice.

Douglas Janney, 23 Watkinson Street Devonport

- Q1.** Tonight's Agenda items have authors and endorsers. The Index on page 2 and 3 is not correct, as the page numbers and the item numbers do not agree with the item numbers from 5.2 onwards. In August last year the same problem occurred with the item numbers and page numbers being mismatched.

Is the index checked before the agenda is published?

Response The Mayor responded by advising that it is. The General Manager further confirmed that the agenda is checked, and that it is collated automatically, but the question will be taken on notice in regard to the numbering, and a response will be provided.

- Q2.** Agenda Item 5.1 shows a carryover of 50% of the capital works for the 2021 year. This suggests when the budget was prepared that the capital works amount was:
1. over optimistic;
 2. there was not enough personnel to undertake the work; or
 3. the Council personnel were not working hard enough.

Which of these three possibilities applies?

Response The General Manager responded by adding a fourth point, that there's been a significant amount of government funding that came in through the year that was added to the program, and resulted into some projects originally intended to be constructed during the year being deferred or carried over, and an additional point that a number of the larger projects extend across multiple financial years such as the

LIVING CITY Waterfront Park, and that the full amount was budgeted in the year with the intention that part would be carried forward.

Bob Vellacott, 11 Cocker Place Devonport

Q1. Due to some confusion that arose at the 2020 Annual General Meeting during question time, because general comments were also being made and or accepted, therefore I respectfully ask the Mayor will you ensure that questions from the floor and comments are listed as separate items in the Agenda and treated as such for the 2021 Annual General Meeting?

Response The Mayor thanked Mr Vellacott for his submission and that it will be taken under advisement.

Q2. Mayor - I refer to the minutes of the meeting of the 27th of September 2021 – re-proposed name change for Providore Place. The following declarations of interest were advised:

The Mayor, your reason was "related to a decision of a previous Council".

Councillor Laycock's "on the Council when Providore Place was voted on".

The Mayor interjected by advising that Council had received a similar question from Mr Vellacott in writing, and that it was decided not to accept it, as it did not meet Council's policy and that she was not prepared to accept it again tonight.

Mr Vellacott continued that he did not recall the Mayor or any other Councillor in recent times declaring an interest when seemingly more relevant items about sorting out the problems pertaining to Providore Place have been on the agenda and he wondered why this occurred on September 27th?

Based on your reasons for declaring an interest, because Councillor Murphy's Notice of Motion related to a decision of a previous Council, does that mean that if he should in the future give a Notice of Motion to change the name of Market Square to Martin Place, would you also be obliged to declare an interest for that?

Q 3. I refer to my previous questions commencing 25th of January 2022 about the total legal cost so far for legal advice given to Council pertaining to Providore Place. Only a percentage of the cost has been able to be given, because I quote "legal costs are not captured or reported to the detail you request".

Now, I wish to inform I received very reliable information that as at the 28th of January 2022 the legal costs charge to Council for Providore Place development.

Councillor Perry raised a point of order, highlighting that Mr Vellacott had twice incorrectly referred to the date as 2022.

Mr Vellacott continued to inform that he had received very reliable information that at the 28th of January 2020, the legal costs charged to

Council for Providore Place amounted to a total of \$21,669 and he noted that it was not an approximate percentage figure given, but an actual amount.

Given that Council officers were able to capture accurately legal costs for Providore Place, up to the 28th of January 2020, why is it that since that time costs are not captured at the same level so they can be made available for the edification of ratepayers?

Response The Mayor advised that the question had been asked and responded to several times and that the question would not be accepted.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

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

3.4 NOTICES OF MOTION

Nil

4 PLANNING AUTHORITY MATTERS

Nil

5 REPORTS

5.1 PROJECTS CARRIED FORWARD FROM 2020/21 CAPITAL WORKS PROGRAM

21/218 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Laycock

That Council adopt the proposed amendments to the 2021/22 Capital Works Program, including:

1. The proposed carry forward projects from the 2020/21 Capital Works Program, totalling \$14, 648, 019;
2. The reallocation of \$480,476 in funding as outlined in the report; and
3. Recognise an overall saving of \$701,545 from the 2020/21 Capital Works Program.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

5.2 DEVONPORT SPORTS INFRASTRUCTURE MASTER PLAN 2035

21/219 RESOLUTION

MOVED: Cr Milbourne

SECONDED: Cr Alexiou

That Council note the draft Devonport Sports Infrastructure Master Plan 2035 as presented by the Sports Infrastructure Master Plan Working Group and:

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

5.3 ANNUAL FINANCIAL REPORT- 30 JUNE 2021

21/220 RESOLUTION

MOVED: Cr Perry

SECONDED: Cr Murphy

That Council receive the report relating to the Annual Financial Report for the year ended 30 June 2021 and note that it will be included as an Appendix to the 2021 Annual Report.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

5.4 RANT ARTS PARTNERSHIP AGREEMENT 2022-2026

21/221 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Jarman

That Council:

1. endorse the 2021 – 2026 Partnership Agreement with RANT Arts; and
2. agree to revised lease terms for 45-47 Stewart Street Devonport for the life of the partnership.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

21/222 RESOLUTION

MOVED: Cr Laycock

SECONDED: Cr Enniss

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

6.2 MAYOR'S MONTHLY REPORT

21/223 RESOLUTION

MOVED: Cr Alexiou

SECONDED: Cr Perry

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

6.3 GENERAL MANAGER'S REPORT - OCTOBER 2021

21/224 RESOLUTION

MOVED: Cr Perry

SECONDED: Cr Jarman

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

6.4 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY REPRESENTATIVES MEETING - 7 SEPTEMBER 2021

21/225 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Milbourne

That Council receive and note the unconfirmed minutes of the Cradle Coast Authority Representatives meeting, held on 7 September 2021.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

6.5 UNCONFIRMED MINUTES OF THE MERSEY-LEVEN EMERGENCY MANAGEMENT COMMITTEE

21/226 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Milbourne

That Council receive and note the unconfirmed minutes of the Mersey-Leven Emergency Management Committee meeting which was held 8 September 2021.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

6.6 DEVELOPMENT AND HEALTH SERVICES REPORT

21/227 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Alexiou

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

6.7 INFRASTRUCTURE AND WORKS REPORT

21/228 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Perry

That Council receive and note the Infrastructure and Works Report.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

7 SECTION 23 COMMITTEES

7.1 PLANNING AUTHORITY COMMITTEE MEETING - 11 OCTOBER 2021

21/229 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Perry

That the minutes of the Planning Authority Committee meeting held on 11 October 2021 be received.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Milbourne, Cr
Murphy, Cr Perry and Cr Rockliff
AGAINST: Nil

CARRIED 9 / 0

8 CLOSED SESSION

21/230 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Laycock

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 27 September 2021	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
5.1	CBD Expression of Interest Process	15(2)(f)
5.2	Mersey Bluff Caravan Park Sub Lease renewal	15(2)(b)

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Laycock, Cr Millbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 9 / 0

The Mayor adjourned the meeting at 6:29pm to reconvene in Closed Session at 6:31pm. The Council moved out Closed Session at 6:53pm.

Council resumed in open session at 6:53pm.

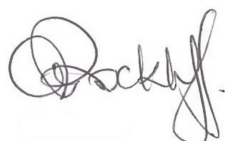
The Closed Session of Council, having met and dealt with its business, resolved to report that it had determined the following:

Item No	Matter	Outcome
3.1	Confirmation of Closed Minutes – Council Meeting – 27 September 2021	Confirmed
3.2	Application for Leave of Absence	Approved
4.1	Confidential Attachments	Noted
5.1	CBD Expression of Interest Process	Approved to progress to next stage
5.2	Mersey Bluff Caravan Park Sub Lease renewal	Approved

9 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6:53pm.

Confirmed 22 November 2021 Min 21/237 Refers



Chairperson, Cr Annette Rockliff