

MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 24 JANUARY 2022 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:24pm	54 minutes
Closed Session	6:27pm	6:39pm	12 minutes
Total			1 hour 6 minutes

Present

Cr A Rockliff (Mayor)
Cr J Alexiou
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
Executive Coordinator, J Surtees
Community Services Manager, K Hampton
Land Use Planning Coordinator, A Mountney
Planning Officer, E Pieniak

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

The following apology was received for the meeting.

Cr G Enniss	Apology
Cr A Jarman	Apology

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason	Remain in meeting? Yes/No	If remaining, reason/s for decision
Cr Annette Rockliff	5.1	Member of the organisation making the request	Yes	Although I am a member, I do not hold an executive position, nor do I believe the fact of my membership will influence my decision.
Cr Murphy	4.1	Engaged in the Real estate industry	No	Not known to the proponent

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

22/1 RESOLUTION

MOVED: Cr Laycock

SECONDED: Cr Murphy

That the minutes of the Council meeting held on 20 December 2021, as previously circulated, be confirmed.

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

AGAINST: Nil

CARRIED 7 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

Nil

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

22/2 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Murphy

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

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

CARRIED 7 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Trevor Smith – 7 Glen Court, Devonport

Mr Smith requested written replies to all his questions, rather than verbal answers.

Q1. Mayor, will you please give an update in regards to the motion that was passed at the November 2021 Annual General Meeting, with councillor allocating some, if not all the surplus money received for the 2020/ 2021 financial year. These monies to go to the construction of footpaths where there are none at all in the street and have been waiting between 8 and 46 years. Gaps between footpaths where there is no footpath at all, it is not the best when you're trying to push someone in a wheelchair.

Any indication of the amount to be allocated? Where the footpaths are to be provided and approximate year they will be constructed? With the footpath that had been waiting for over 46 years to be commenced first at Surrey Street Devonport.

Q2. Out the front of Taxi Combined at 143 Don Road Devonport also in the front of Energy Point at 142 Don Road. You have made a start on including pedestrian safety by upgrading the footpaths on both sides of Don Road. You installed the usual footpath crossover infrastructure as you have done elsewhere in the City, for having a pedestrian safe refuge in the middle of a busy road. Why hasn't the pedestrian island been built like near the bottom of the Gateway Church Don Road?

Q3. At the council agenda meeting on the 21/11/2021 I asked a question about the faded zebra line markings as well as the line markings for the car spaces to be done at the Fourways carpark. It is now the 24/1/2022 and they still have not been done. The zebra markings are a safety issue for the rate payers of Devonport, plus should not be an issue at all. Two months to wait is far too long.
Why do I as a rate payer have to keep bringing up the safety issue with the council?

Douglas Janney – 23 Watkinson Street Devonport

Q1. Don Road rework was done on the weekend before the 22/11/21 and this was the date I asked when the depressions would be done. Council's response by M Atkins on the 1st December 2021 stated the work on the two depressions would be done in 'coming weeks'. Two months have gone by since the road resurface, and the job is not completed. This is appalling performance by the Council.
As stated in the preamble to my question on the 22 November the work does not comply with State Growth specification in terms of sequencing.
What is the precise date that this work will start?

Response

The Mayor responded that the question would be taken on notice.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

3.4 NOTICES OF MOTION

3.4.1 GARDEN OF REFLECTION AT PIONEER PARK

22/3 RESOLUTION

MOVED: Cr Laycock
SECONDED: Cr Hollister

That Council includes sufficient money in the 2022/2023 budget to complete the 'Garden of Reflection' in Pioneer Park.

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

LOST 2 / 5

4 PLANNING AUTHORITY MATTERS

4.1 PA2021.0164 - 10 VALKYRIE CLOSE DEVONPORT - RESIDENTIAL (MULTIPLE DWELLINGS X 2)

22/4 RESOLUTION

MOVED: Cr Milbourne
SECONDED: Cr Hollister

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, refuse application PA2021.0164 for Residential (multiple dwellings x 2) at 10 Valkyrie Close, Devonport on the following grounds:

- The proposed development is incompatible with the existing streetscape and therefore does not satisfy 8.4.2 P1;
- The proposed development will result in substantial visual impacts to adjoining properties and cannot satisfy the performance criteria 8.4.2 P3 (a) iv;
- The proposed development does not provide separation between the dwellings consistent with surrounding established properties and therefore does not satisfy the performance criteria 8.4.2 P3 (b); and
- Site coverage of the proposed development is inconsistent with surrounding established site coverage, and the private open space area of unit 1 is unsuitable for the recreational needs of future residents. The proposal does not satisfy the performance criteria of 8.4.3 P1 (a) and P1 (b) i.

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

AGAINST: Nil

CARRIED 7 / 0

4.2 PA2021.0206 - 7 PARKER STREET DEVONPORT - INDOOR SPORT AND RECREATION (CHANGE OF USE)

22/5 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Perry

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2021.0206 and grant a Permit to use land identified as 7 Parker Street, Devonport for the following purposes:

- Indoor Sport and Recreation (change of use)

Subject to the following conditions:

1. The Use is to proceed generally in accordance with the submitted plans referenced as Leased Area Plans: storage/gym area and barrier/speakers, by the applicant copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Hours of use for noise amplifying equipment must comply with the requirements of the *Environmental Management & Pollution Control (Noise) Regulations 2016*.
3. Any external lighting for security purposes must be baffled to ensure direct light does not extend into the adjoining residential property.

Note: The following is provided for information purposes.

Any 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.

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

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

Outdoor storage areas must not be visible from any road or public open space adjoining the site.

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

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

CARRIED 7 / 0

Alex Mountney and Emma Pieniak left the meeting at 5:54pm.

5 REPORTS

5.1 REQUEST FOR PLACEMENT OF COMMEMORATIVE SEAT - WATERFRONT PARK - SOROPTIMIST INTERNATIONAL OF DEVONPORT INC

22/6 RESOLUTION

MOVED: Cr Perry
SECONDED: Cr Murphy

That Council receive and note the application for the placement of a commemorative plaque on seating within the Waterfront Precinct from Soroptimist International of Devonport Inc and notify the applicant that the request be approved, and given there is ample provision for seating in the Waterfront Park design, a commemorative plaque may be affixed to one of the proposed seats.

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

CARRIED 7 / 0

5.2 DELEGATIONS - GENERAL MANAGER - BIENNIAL UPDATE

22/7 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Perry

That Council, pursuant to section 22(1) of the *Local Government Act 1993*, authorise the delegation of its functions and powers contained in the attached instrument to the General Manager (or any employee acting in that capacity), and in accordance with section 64 of the *Act*, authorise the General Manager to delegate functions and powers to Council employees, as appropriate.

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

CARRIED 7 / 0

5.3 TENDER REPORT CONTRACT CS0104 WEBBERLEYS ROAD STORMWATER DRAINAGE

22/8 RESOLUTION

MOVED: Cr Laycock
SECONDED: Cr Milbourne

That Council, in relation to Contract CS0104 Webberleys Road Stormwater Drainage:

- a) award the contract to Walters Contracting for the tendered sum of \$240,570 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$40,000 (ex GST);
- c) note utility and other costs for the project are \$6,000 (ex GST); and
- d) note a construction contingency of \$74,274 (ex GST) is included in the overall project budget.

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

CARRIED 7 / 0

5.4 TENDER REPORT CONTRACT CT0325 NORTH FENTON STREET RENEWAL

22/9 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Alexiou

That Council in relation to Contract CT0325 North Fenton Street Renewal:

- a) award the contract to Walters Contracting for the tendered sum of \$336,787 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$42,000 (ex GST);
- c) note utility and other costs for the project are \$3,000 (ex GST); and
- d) note a construction contingency of \$67,357 (ex GST) is included in the overall project budget.

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

AGAINST: Nil

CARRIED 7 / 0

5.5 TENDER REPORT CONTRACT CT0322 WILLIAM STREET RENEWAL

22/10 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Alexiou

That Council in relation to Contract CT0322 William Street Renewal:

- a) award the contract to Treloar Transport Pty Ltd for the tendered sum of \$1,267,012 (ex GST);
- b) note project design, management and administration costs for the project are estimated at \$120,000 (ex GST);
- c) note utility and other costs for the project are \$30,000 (ex GST); and
- d) note a construction contingency of \$126,701 (ex GST) is included in the overall project budget.
- e) allocate \$603,713 for the completion of the project in its 2022-23 capital works program.

FOR: Cr Alexiou, Cr Hollister, Cr Laycock, Cr Milbourne and Cr Rockliff

AGAINST: Cr Murphy and Cr Perry

CARRIED 5 / 2

6 INFORMATION

6.1 MAYOR'S MONTHLY REPORT

22/11 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Laycock

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

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

CARRIED 7 / 0

6.2 GENERAL MANAGER'S REPORT - DECEMBER 2021

22/12 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Perry

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

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

CARRIED 7 / 0

6.3 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

Nil

6.4 PUBLIC LIGHTING STRATEGY 2021-26 - YEAR ONE STATUS

22/13 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Alexiou

That Council note the status of actions listed in the Devonport City Council Public Lighting Strategy 2021-26.

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

CARRIED 7 / 0

6.5 PIONEER PARK MASTER PLAN 2018-2028 - YEAR FOUR STATUS

22/14 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Murphy

That Council receive the report of the Infrastructure and Works Manager and note the status of actions listed in the Pioneer Park Master Plan 2018-2028.

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

CARRIED 7 / 0

6.6 GENERAL MANAGEMENT, PEOPLE & FINANCE AND CORPORATE SERVICES REPORT - NOVEMBER AND DECEMBER 2021

22/15 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Perry

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

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

CARRIED 7 / 0

6.7 COMMUNITY SERVICES REPORT NOVEMBER AND DECEMBER 2021

22/16 RESOLUTION

MOVED: Cr Alexiou
SECONDED: Cr Murphy

That Council receive and note the Community Services report.

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

CARRIED 7 / 0

6.8 CONVENTION AND ARTS REPORT - NOVEMBER AND DECEMBER 2021

22/17 RESOLUTION

MOVED: Cr Alexiou
SECONDED: Cr Murphy

That Council receive and note the Convention and Arts report.

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

CARRIED 7 / 0

6.9 ELECTED MEMBERS EXPENSE REPORT TO 31 DECEMBER 2021

22/18 RESOLUTION

MOVED: Cr Laycock
SECONDED: Cr Murphy

That the bi-monthly report advising of Councillor allowances and expenses be received and noted.

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

CARRIED 7 / 0

6.10 ANNUAL PLAN PROGRESS REPORT TO 31 DECEMBER 2021

22/19 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Alexiou

That Council receive and note the 2021/22 Annual Plan Progress Report for the period ended 31 December 2021.

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

CARRIED 7 / 0

6.11 UNCONFIRMED MINUTES DEVONPORT CITY COUNCIL AUDIT PANEL

22/20 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Perry

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 29 November 2021.

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

CARRIED 7 / 0

7 SECTION 23 COMMITTEES

Nil

8 CLOSED SESSION

22/21 RESOLUTION

MOVED: Cr Laycock
SECONDED: Cr Murphy

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 – 20 December 2021	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments January 2022	15(2)(g)
5.1	Unconfirmed Minutes Joint Authorities	15(2)(g)
5.2	Hillcrest Affected Area Recovery Committee (HAARC)	15(2)(g)

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

AGAINST: Nil

CARRIED 7 / 0

**The Mayor adjourned the meeting at 6:24pm to reconvene in Closed Session at 6:27pm.
The Council moved out Closed Session at 6:39pm.**

Council resumed in open session at 6:39pm.

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 – 20 December 2021	Confirmed
3.2	Application for Leave of Absence	Nil
4.1	Confidential Attachments January 2022	Noted
5.1	Unconfirmed Minutes Joint Authorities	Noted
5.2	Hillcrest Affected Area Recovery Committee (HAARC)	Nominations approved

9 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6:39pm.

Minutes confirmed 28 February 2022 Min 22/27 refers

Confirmed



Chairperson