

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 26 JUNE 2023 COMMENCING AT 5.30 PM

| Meeting | From | To | Time Occupied |
|----------------|---------|---------|---------------|
| Open Session | 5:30pm | 7.30 pm | 120 min |
| Closed Session | 7.37 pm | 7.39 pm | 2 min |
| Total | | | 122 min |

Present

Cr A Jarman (Mayor)
Cr S Sheehan (Deputy Mayor)
Cr G Enniss
Cr P Hollister
Cr A Moore
Cr L Murphy
Cr D Viney
Cr J Wilczynski

Council Officers:

General Manager, M Atkins
Deputy General Manager, J Griffith
Executive Manager, K Lunson
Executive Manager, M Skirving
Community Services Manager, K Hampton
Infrastructure Manager, J Bellchambers
Finance Manager, J Jackson
Convention & Arts Centre Manager, G Dobson
Works Manager, M Lowe
Executive Coordinator, C Jordan
Governance Officer, C Delphin
Senior Town Planner, C Milnes (remote)

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 S Martin

Leave

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

| Councillor | Item No | Reason | Remaining in Meeting? Yes/No | If remaining, reason/s for decision |
|-------------|-----------|---|------------------------------|--|
| Cr D Viney | 4.2 | An associate of the representation against this development | Yes | Only an associate and won't effect my judgement |
| Cr D Viney | 5.7 | I live in close proximity to the existing Forbes Street Basketball Stadium (potential development site) | Yes | It will not effect my ability to make unbiased decisions on this report |
| Cr A Moore | 5.7 | My son plays for Youth Strikers | Yes | No financial implications |
| Cr L Murphy | 4.1 & 4.2 | I am employed in the real estate industry in my professional capacity | Yes | I am not known to any of the proponents and have not previously been engaged by any of them in capacity as a Property Consultant |

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/115 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That the minutes of the Council meeting held on 22 May 2023 as previously circulated be confirmed.

FOR: Cr Ennis, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

23/116 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

That the response to the question from Mr Douglas Janney at the May Council meeting be noted.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

23/117 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Enniss

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Malcolm Gardam, 4 Beaumont Drive, Miandetta, Tas, 7310

Q1. I refer to my question one on notice and the General Manager's response on Pages 6 & 7 of tonight's Agenda in relation to the beneficiaries of Council funding, subsidies and concessions continuing to be afforded the sole right to withhold disclosure of any said benefits. Clearly, the GM's response as now approved does not answer the question submitted and instead responds to a question not even asked.

I do not believe that either the General Manager or Councillors here do not understand the question fully so the conclusion must be that the response is deliberate and Council wishes to subrogate its responsibilities by maintaining this

untenable layer of avoiding disclosure of matters that might be embarrassing to Council.

Accordingly, in the hope that Council will be honest and transparent enough to admit that it is comfortable with the status quo as an added means to avoid scrutiny, I again ask will Council take full ownership for making, or not making, public disclosures and stop hiding behind the fictitious notion that entities will not engage with Council if Council were to contractually retain sole discretion as to making public disclosures relating to contractual arrangements; and move to remove this absurdity where a private enterprise can veto the public disclosure of benefits it receives, including public funding and/or concessions granted by Council?

Response

The General Manager responded that, as stated in the response provided to Mr Gardam previously, that Council makes as much information openly available as it can, however reserves the right should it need to table items in the Closed Session for discussion. The Mayor invited Mr Gardam to discuss the matter further by appointment if he wished.

Q2. I refer to my question one on notice and the General Manager's response on Page 8 of tonight's Agenda in relation to the lack of adequate train warning signs for pedestrians using the existing rail pedestrian crossing adjacent the Elevated Walkway; and again ask is it an acceptable safety risk for Council to leave this crossing inadequately sign posted while, and I quote, "Council is continuing its engagement with TasRail in relation to the existing and additional crossings for Waterfront Park...."?

Response

The Mayor advised that this question will be taken on notice and a response provided.

Q3. I refer to The Advocate article dated 13 June 2023 "Devonport CBD \$3 million plan for cycling hub, apartments" reporting that 29 Fenton Way has been sold and accordingly will Council confirm if Council will need to undertake works, civil works or otherwise, to facilitate the sale and/or proposed development such as boundary adjustments or realigning Fenton Way?

Response

The Mayor advised that this question will be taken on notice and a response provided.

Mr Douglas Janney, 23 Watkinson Street, Devonport, Tas. 7310

Q1. The paintwork on the steel work of the Spirit of the Sea needs attention. When will this happen?

Response

The Mayor advised that this question will be taken on notice and a response provided.

Q2. At what depth will an urban road depression be considered for repair?

Response

The Mayor advised that this question will be taken on notice and a response provided.

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

4.1 PA2023.0080 - 12 DONVISTA DRIVE DON - RESIDENTIAL (SHED EXTENSION - EXISTING)

23/118 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Wilczynski

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 PA2023.0080 and grant a Permit to use and develop land identified as 12 Donvista Drive, Don for the following purposes:

- Residential (shed extension – existing)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans dated 3/05/2023, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. All stormwater, including surface water from the driveway and/or any paved areas, is to be collected and drained to the private stormwater drainage system, in accordance with the National Construction Code.

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.

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*.

This development is to be used for storage only, no habitation is to occur. If any activity occurs (such as habitation) which may result in the generation of domestic wastewater, the site must be assessed by a suitably qualified person for an on-site wastewater management system.

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

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

4.2 PA2023.0066 - 7-9 FINLAYSONS WAY DEVONPORT - BULKY GOODS SALES (DEMOLITION AND DEVELOPMENT OF LARGE FORMAT RETAIL SALES)

23/119 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Wilczynski

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 PA2023.0066 and grant a Permit to use and develop land identified as 7-9 Finlaysons Way, Devonport for the following purposes:

- Bulky goods sales (demolition and development of large format retail sales)

Subject to the following conditions:

1. The use and Development is to proceed generally in accordance with the following endorsed plans endorsed plans and documentation referenced as:
 - Development Plans - Proposed Commercial Warehouse Development - Job No. 2211787, dated 28th April 2023 by Architecton;
 - Proposed Service Connections Plan – Project No. 23E99-02 by JSA (Tas) Pty Ltd;
 - Traffic Impact Assessment, dated 1.05.23 by Impact; and
 - Environmental Site Assessment Report, dated 19.04.23 by Environmental Management & Consulting (EM&C),

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

2. The developer is to provide a detailed landscaping plan, highlighting landscaping along the Formby Road frontage and proposed vegetation species/anticipated heights. The plan is to be endorsed by Council's Executive Manager prior to the acceptance of the building application by the Permit Authority (refer to note).
3. Disposal of all hazardous waste, including potentially contaminated soil and water, is to be undertaken in strict compliance with the *Environmental Management and Pollution Control (Waste Management) Regulations 2020* and the endorsed Environmental Site Assessment Report by EM&C dated 19.04.2023.
4. Further to condition 3, the developer is to provide Council with a Waste Management Plan. The Waste Management Plan must be endorsed by Council's Executive Manager prior to the acceptance of the building application by the Permit Authority.
5. The developer is to manage any asbestos found during demolition in accordance with the How to Safely Remove Asbestos Code of Practice issued by Safe Work Australia (October 2018).
6. All compressors, generators and pumps are to be installed within an area which is so constructed as to prevent noise emissions from affecting occupiers of other premises.
7. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development site being impervious. There is to be no uncontrolled 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 by the City Engineer prior to lodgement of any subsequent building permit applications.
8. Subject to condition 4 and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
9. The developer is to ensure that building, driveway, and car parking areas are set at suitable levels to ensure that stormwater site drainage can be piped at suitable gradients to the required service connection point.
10. All new driveways on Finlaysons Way are to be constructed of industrial strength concrete as per the Tasmanian Standard Drawing, TSD-R16, for the crossover and the driveway up to the property boundary.
11. Any alteration to the constructed vehicular crossovers and driveway is to be in accordance with Council's plans and specifications and is to be approved by Council's City Infrastructure department.
12. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
13. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street Carparking. In addition, the

requirements of AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities are to be met.

14. Certification and details from a suitably qualified civil or structural engineer must be submitted to Council regarding all retaining walls over the height of 1m.
15. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

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

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

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*.

The developer is to ensure all required action is undertaken to protect neighbouring buildings and infrastructure. Building Protection Work may be applicable, and the developer is to liaise with a registered building surveyor regarding this matter.

Further to condition 2, it is recommended the developer contact Council's City Engineer to ascertain Council's preferred list of vegetation species and any recommendations.

In regard to condition 15 the developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 7 -14 the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

Senior Town Planner Carolyn Milnes left the meeting at 5.49 pm.

5 REPORTS

5.1 RATES AND CHARGES POLICY

23/120 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Enniss

That Council adopt the Rates and Charges Policy with immediate effect.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

5.2 ANNUAL PLAN AND BUDGET ESTIMATES

23/121 RESOLUTION

MOVED: Cr Sheehan

SECONDED: Cr Murphy

A. ANNUAL PLAN

That in accordance with section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2024 and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's Offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with section 82 of the *Local Government Act 1993*, the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2023/24 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the *Act* the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$75,000 to any individual estimate item (including capital works) as deemed necessary during the 2023/24 financial year provided that the total of the Estimates remains unaltered.

C. RATES AND CHARGES 2023/24

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993* and the *Fire Services Act 1979* for the financial year 1 July 2023 to 30 June 2024 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

'Act' means the *Local Government Act 1993*;

'AAV' means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

'land' means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

'land used for primary production' means all land used or predominantly used for primary production and includes all land coded 'L' in the valuation list;

'land used for residential purposes' means all land used or predominately used for residential purposes and includes all land coded 'R' in the valuation list;

'municipal area' means the municipal area of Devonport;

'non-used land' means all land coded 'V' in the valuation list;

'supplementary valuation' means a supplementary valuation made under the *Valuation of Lands Act 2001*.

'tenancy' means a portion of land which the Valuer-General has determined is capable of separate occupation and so has separately determined the AAV of that portion, pursuant to section 11(3)(c) of the *Valuation of Land Act 2001*; and

'valuation list' means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under section 45 of the *Valuation of Land Act 2001*.

1. RATES RESOLUTION- PART 1 (A)

Pursuant to sections 90 and 91 of the *Local Government Act 1993*, the Council makes a General Rate ("the General Rate") in respect of all rateable land (except land which is exempt pursuant to section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 9.2244 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$312 on all land or tenancy.

2. RATES RESOLUTION – PART 1(B)

Pursuant to section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 6.9183 cents in the dollar of assessed annual value of such rateable land.

3. RATES RESOLUTION PART 1(C)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used as a residential dwelling of 15 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

4. RATES RESOLUTION PART 1(D)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used for primary production of 15 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

5. RATES RESOLUTION PART 1(E)

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used as vacant land of 50 per cent;
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2022 to 30 June 2023.

6. RATES RESOLUTION – PART 2

6.1 Pursuant to section 94 of the *Local Government Act 1993*, the Council makes the following service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2023 to 30 June 2024:

- (a) a waste management service charge of \$310 upon all land or tenancy to which Council supplies or makes available a kerbside collection service.
- (b) Pursuant to section 94(3) of the *Local Government Act 1993* (Tas) the Council by absolute majority makes a service charge for waste management services to offset a levy payable by the Council to the State Government under the Waste and Resource Recovery Act 2022 (a Waste Management Levy Offset Service Charge) of \$15

upon all land or tenancy to which the Council supplies or makes available a kerbside collection service.

- 6.2 Pursuant to section 107 of the *Act*, the Council by absolute majority declares that the waste management service charge and the Waste Management Levy Offset Service Charge is varied by reference to the use or predominant use of land as follows:
- (a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$930;
 - (b) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the Waste Management Levy Offset Service charge is varied to \$45;
 - (c) for all land which is non-used land the service charge and Waste Management Levy Offset Service charge is varied to {resolution}.00;
 - (d) for all land which is predominately used for primary production and not containing a residential dwelling the waste service charge and Waste Management Levy Offset Service charge is varied to \$0.00.

7. RATES RESOLUTION – PART 3

Pursuant to section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2023 to 30 June 2024:

- a) a Devonport Urban Fire District Rate of 1.2710 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within the Devonport Urban Fire District.
- b) a Forth/Leith Fire District Rate of 0.3757 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within Forth/Leith Fire District.
- c) a General Land Fire Rate of 0.3221 cents in the dollar of assessed annual value, subject to a minimum amount of \$48 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

8. SEPARATE LAND

In relation to all rates and charges for the 2023/24 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

9. ADJUSTED VALUES

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to sections 89 and 89A of the *Local Government Act 1993*.

10. PAYMENT OF RATES AND CHARGES

Pursuant to section 124 of the *Local Government Act 1993*, the rates for 2023/24 shall be payable in four instalments, the dates by which the rates are due to be paid are:

| | |
|-------------------|------------------|
| First Instalment | 31 August 2023 |
| Second Instalment | 31 October 2023 |
| Third Instalment | 28 February 2024 |
| Fourth Instalment | 30 April 2024 |

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

Penalties

Pursuant to section 128 of the *Local Government Act 1993*, if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2024; and
- (b) where the ratepayer has an approved bank direct debit payment arrangement.

Supplementary Rates

- (a) Pursuant with sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2024, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid in accordance with the remaining instalments or within 30 days of the date on which that notice is issued, whichever is the latter.

D. CAPITAL WORKS PROGRAM

That Council pursuant, to section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2023/24 financial year as detailed and note the 10 year forward works program.

E. FEES AND CHARGES

That in accordance with section 205 of the *Local Government Act 1993*, Council adopts the Fees and Charges Schedule for the 2023/24 financial year as detailed.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

5.3 REVIEW OF STRATEGIC PLAN 2009-2030

23/122 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council note the revised Strategic Plan 2009-2030 and release the plan for a 30 day public consultation period.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

5.4 ADOPTION OF 2026 TERM PLAN

23/123 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Wilczynski

That Council adopt the Devonport City Council Term Plan 2022-2026.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

5.5 SMOKE-FREE AREA AT SPREYTON WASTE TRANSFER STATION

23/124 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council receive and note the report of the Executive Manager regarding a smoke-free site at the Spreyton Waste Transfer Station and that Council undertake the process to declare the nominated area smoke-free.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

5.6 STATE VEHICLE ENTRY POINT PROJECT AND NORTH-WEST GATEWAY IMPROVEMENTS PROJECT, PUBLIC ART COMMISSION

23/125 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Wilczynski

That Council award the public art components of the State Vehicle Entry Point project and the North-West Gateway Improvements project to:

1. Alex Miles Pty Ltd for sites 1 – 5 and site 8;
and
2. Matt Calvert for sites 6 and 7.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

5.7 SPORTING INFRASTRUCTURE PRIORITY INVESTMENTS

23/126 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Hollister

That Council resolve to:

1. Progress the *Devonport Indoor Sports Complex* and the *Valley Road Development* as the two major funding priorities from the Sports Infrastructure Master Plan;
2. Provide in principle support for the funding request from the Devonport City Soccer Club Inc. towards the Valley Road Development, subject to the resolution of the funding model for both projects;
3. Commence negotiations with the Australian Government in relation to re-allocation of existing grant funding commitments to Council, towards the Valley Road Development;
4. Adopt the Devonport Oval precinct as the preferred location for the *Devonport Indoor Sports Complex*, maximising co-location, and multiuse opportunities with existing Oval users; and

-
5. Commence engagement with the associated clubs and key stakeholders to support advocacy and identification of funding opportunities to enable progression of both projects.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

23/127 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6.2 MAYOR'S MONTHLY REPORT

23/128 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Sheehan

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

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6.3 GENERAL MANAGER'S REPORT

23/129 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Sheehan

That the General Manager's Report be received and noted.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr
Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6.4 MONTHLY OPERATIONAL REPORT - MAY 2023

23/130 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

That Council receive and note the Monthly Operational Report for the period ending 31 May 2023.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr
Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

7 CLOSED SESSION

23/131 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Moore

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 – 22 May 2023 | 15(2)(g) |
| 3.2 | Application for Leave of Absence | 15(2)(h) |
| 4.1 | Confidential Attachments | 15(2)(g) |

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney
and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

The Mayor adjourned the meeting at 7.30 pm to reconvene in Closed Session at 7.37 pm.

The Council moved out of Closed Session at 7.39 pm.

Council resumed in open session at 7.39 pm.

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 – 22 May 2023 | Confirmed |
| 3.2 | Application for Leave of Absence | Nil |
| 4.1 | Confidential Attachments | Noted |

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 7.39 pm.

Confirmed - Minutes Confirmed 24 July 2023 - MIN Refers 23/135



Chairperson - Mayor Alison Jarman