

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 SEPTEMBER 2023 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30 pm	6:38 pm	68 min
Closed Session	6:43 pm	6: 53 pm	10 min
Total			78 min

Present

- Cr A Jarman (Mayor)
- Cr S Sheehan (Deputy Mayor)
- Cr G Ennis
- Cr S Martin
- Cr A Moore
- Cr L Murphy
- Cr D Viney
- Cr J Wilczynski

Council Officers:

- General Manager, M Atkins
- Executive Manager, K Lunson
- Executive Manager, M Skirving
- Infrastructure Manager, J Bellchambers
- Community Services Manager, K Hampton
- Convention & Arts Centre Manager, G Dobson
- Executive Coordinator, C Jordan
- 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

An apology for the meeting was received from Councillor P Hollister.

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 Sheehan	3.4.1	Works in real estate industry	Yes	Does not influence decision making ability
Cr Murphy	3.4.1	Works in real estate industry	Yes	Agenda item has significant benefit to entire community and there is no pecuniary benefit in supporting.

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/185 RESOLUTION

MOVED: Cr Viney

SECONDED: Cr Enniss

That the minutes of the Council meeting held on 28 August 2023 as previously circulated be confirmed.

FOR: Cr Enniss, Cr Jarman, Cr Martin, 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

23/186 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

That the response to a question from Mr. Christopher Mills at the August 2023 Council meeting be noted.

FOR: Cr Enniss, Cr Jarman, Cr Martin, 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

Nil

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Douglas Janney, 23 Watkinson Street, Devonport, TAS, 7310

Q1 Whenever I walk past the front of the paranapple Centre in the morning or in the evening when I come in, there are cigarette butts on the property.
When is the council going to do something about cleaning it up?

Response

The General Manager thanked Mr. Janney for his response and advised that Council will review its maintenance schedule.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil.

3.4 NOTICES OF MOTION

3.4.1 NOTICE OF MOTION - REQUEST FOR REPORT ON HIGHER DENSITY HOUSING - CR S SHEEHAN

23/187 RESOLUTION

MOVED: Cr Sheehan

SECONDED: Cr Viney

That Council investigate potential opportunities to actively encourage and promote higher density residential use development in line with the strategic policy directions contained in the Greater Devonport Residential Growth Strategy 2021-2041.

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

AGAINST: Nil

CARRIED 8 / 0

4 PLANNING AUTHORITY MATTERS

4.1 AM2023.03 - 17 MERSEYSIDE STREET QUOIBA - AMEND THE DEVONPORT LOCAL PROVISIONS SCHEDULE BY REZONING LAND FROM UTILITIES ZONE TO GENERAL INDUSTRIAL ZONE

23/188 RESOLUTION

MOVED: Cr Enniss

SECONDED: Cr Wilczynski

That Council:

- agree to certify amendment AM2023.03 to the Devonport Local Provisions Schedule for the land at 17 Merseyside Street, Quoiba (CT 132831/4) to:
 - a. rezone 17 Merseyside Street, Quoiba (CT 132831/4) from Utilities to General Industrial;
 - b. remove the priority vegetation area overlay from 17 Merseyside Street, Quoiba;
 - c. insert the waterway and coastal protection area overlay for 17 Merseyside Street, Quoiba;
 - d. advise the Tasmanian Planning Commission that the Planning Authority is satisfied that the draft amendment meets the Local Provisions Schedule criteria in accordance with section 34(2) of the *Land Use Planning and Approvals Act 1993*; and

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- e. place Amendment AM2023.03 on public exhibition for 28 days in accordance with section 40G of the *Land Use Planning and Approvals Act 1993*.

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

AGAINST: Nil

CARRIED 8 / 0

Council Officer CMilnes left the meeting at 5.45pm.

5 REPORTS

5.1 COUNCIL POLICIES - BIENNIAL REVIEW

23/189 RESOLUTION

MOVED: Cr Wilczynski

SECONDED: Cr Martin

That Council adopt the revised Council policies as attached to this report with immediate effect.

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

AGAINST: Nil

CARRIED 8 / 0

5.2 PRIVATE WORKS POLICY

23/190 RESOLUTION

MOVED: Cr Martin

SECONDED: Cr Viney

That Council adopt the Private Works Policy with immediate effect.

PROCEDURAL MOTION

That the matter be deferred.

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

AGAINST: Nil

CARRIED 8 / 0

5.3 RISK MANAGEMENT FRAMEWORK

23/191 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Wilczynski

That Council note the report regarding the Risk Management Framework review and adopt the attached updated Risk Management Framework with immediate effect.

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

CARRIED 8 / 0

5.4 DULVERTON WASTE MANAGEMENT - PROPOSED CHANGES TO RULES

23/192 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Viney

That the Council authorise the proposed amendments to the Dulverton Regional Waste Management Authority (DWM) Rules as endorsed by the Representatives on 29 June 2023 and approve DWM to undertake the advertising of the amendment as required by the Local Government Act 1993.

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

CARRIED 8 / 0

5.5 PARKING BY-LAW NO.1 OF 2023

23/193 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

That Council resolve to make minor corrections to the Devonport City Council Parking By-Law No.1 of 2023 (as attached), following advice from its solicitors, and then proceed to certification of the by-law.

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

CARRIED 8 / 0

5.6 TENDER REPORT CONTRACT CT0343 PARKER/PERCY STREET ROUNDBABOUT

23/194 RESOLUTION

MOVED: Cr Sheehan
SECONDED: Cr Enniss

That Council in relation to Contract CT0343 Parker/Percy Street Roundabout, award the contract to Treloar Transport and:

1. award contract for the tendered sum of \$297,043 (ex. GST);
2. allow for services relocation of \$20,000 (ex. GST);
3. allow a construction contingency of \$29,704 (ex. GST);
4. allow project management and administration costs of \$75,000 (ex. GST); and
5. Note the increase in capital budget to \$421,748 (ex. GST) and that external Blackspot grant funding will be increased to fully fund the project.

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

CARRIED 8 / 0

5.7 2023/24 CAPITAL PROGRAM AMENDMENTS

23/195 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Wilczynski

That Council adopt the proposed amendments to the 2023/24 Capital Works Program, including:

1. The proposed carry forward projects from the 2023/24 Capital Works Program, totalling \$12,955,744;
2. The reallocation of \$650,000 in funding allocated to Coastal Pathway project;
3. Recognise the externally funded amount of \$380,000 as outlined in the report; and
4. Recognise an overall saving of \$1,685,735 from the 2022/23 Capital Works Program.

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

CARRIED 8 / 0

5.8 FINANCIAL ASSISTANCE SCHEME ROUND ONE 2023 2024

23/196 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Wilczynski

That Council:

- a. receive and note the Financial Assistance - Community Grants report; and
- b. approve the Major and Minor Grants and Rates Remissions for Round One of the 2023/24 Community Grants Program, as follows:

Major Grants

Meercroft Park Development Committee	\$10,000.00
Devonport Apex Regatta	\$25,000.00
Spreyton Cricket & Community Club	\$8,850.00

Minor Grants

East Devonport Neighbourhood House	\$2,500.00
Uniting Bowls Club	\$462.50

Rates Remissions

Van Diemen Light Railway Society Pty Ltd T/A as Don River Railway	\$7,876.01
Mersey Community Care Association Inc	\$5,661.60
Girl Guides Association of Tasmania	\$1,511.17
Parakaleo Ministries Inc T/A Choose Life Services	\$2,350.22
Cancer Council Tasmania	\$2,708.58
Pathway to Life Inc.	\$2,327.53
Mersey Rowing Club	\$1,695.66
Mersey District Scout Association	\$3,374.50
East Devonport Tennis Club	\$1,086.85

FOR: Cr Enniss, Cr Jarman, Cr Martin, 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

23/197 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Sheehan

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

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

AGAINST: Nil

CARRIED 8 / 0

6.2 MAYOR'S MONTHLY REPORT

23/198 RESOLUTION

MOVED: Cr Sheehan
SECONDED: Cr Ennis

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

FOR: Cr Ennis, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney
and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6.3 GENERAL MANAGER'S REPORT

23/199 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Sheehan

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

FOR: Cr Ennis, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney
and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

6.4 MONTHLY OPERATIONAL REPORT - AUGUST 2023

23/200 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Ennis

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

FOR: Cr Ennis, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney
and Cr Wilczynski
AGAINST: Nil

CARRIED 8 / 0

7 CLOSED SESSION

23/201 RESOLUTION

MOVED: Cr Martin

SECONDED: Cr Viney

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 – 28 August 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(g)
5.1	Deed of Assignment	15(2)(f) & 15(2)(g)

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

AGAINST: Nil

CARRIED 8 / 0

**The Mayor adjourned the meeting at 6.38pm to reconvene in Closed Session at 6.43pm.
The Council moved out of 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	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 28 August 2023	Confirmed
3.2	Application for Leave of Absence	Granted
4.1	Confidential Attachments	Noted
5.1	Deed of Assignment	Endorsed and Authorised

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6.53pm.

Confirmed - Minutes confirmed 23 October 2023 - MIN Refers 23/207



Chairperson