

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 28 JULY 2025 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:55pm	1 hour 25 minutes
Closed Session	7:02pm	7:30pm	28 Minutes
Total			1 hour 53 Minutes

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: Chief Executive Officer, M Atkins
Deputy Chief Executive Officer, J Griffith
Executive Manager, K Lunson
Executive Manager, M Skirving
Creative Director, G Dobson
Finance Manager, N Maggs
Infrastructure Manager, J Bellchambers
Works Manager, M Lowe
Development Services Manager, K Stone
Land Use Planning Coordinator, A Mountney
Executive Coordinator, C Jordan

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 was received from Cr 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 A Moore	5.4	Current Board Member of Devonport Community House	Yes	No personal financial benefit
Cr L Murphy	5.4	Current Board Member of Rotary Club Devonport North	No	
Cr S Martin	5.4	President of Toast for Kids	Yes	No financial benefit received from the decision.

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

25/121 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Enniss

That the minutes of the Council meeting held on 23 June 2025 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

There were no questions raised at the prior meeting.

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

25/122 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Viney

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 Ennis, Cr Jarman, Cr Martin, 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

Q1. Reference Item 5.4 on Pg. 52 of tonight's Agenda re the Partnership and/or Sponsorship Agreements; specifically the partnership amount of \$45,000 awarded to Julie Burgess Inc. – is this the last instalment from the overall \$210,000 financial support agreement between DCC and Julie Burgess Incorporated, from July 2020 to June 2025, which is a five year agreement, whereby this is the last instalment of \$40,000 was to be paid on or after 1 July 2024, and if not the last instalment of that agreement, then when and why was this additional amount approved by Council and does it include or attract GST? Is the \$45k the last instalment of the five year agreement?

Response

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

Q2. Reference Item 5.2 re Devonport Stadium – Site Works; and specifically the last sentence in last Dot Point on Pg.44 in that "An independent Probity Adviser was engaged to review the Tender Documentation, observe and provide advice on the Tender Evaluation Process, and provide a report on probity matters."; accordingly, will Council advise as to who the person appointed as Probity Officer is?

Response

The Chief Executive Officer advised that the individual was Andrew Gray from Newton & Henry Pty Ltd based in Launceston.

Q3. Again, with reference to the new Devonport Stadium contract, will Council confirm, pursuant to Clauses 2 and 23 of the expected contract conditions, as to who the person appointed as Superintendent is?

Response

The Chief Executive Officer responded that Sam Tucker is the Superintendent.

Douglas Janney, 23 Watkinson Street

Formby Road in front of Haines Park has two yellow coloured strips across the road - what are they for?

Response

The Infrastructure Manager responded that the two crossings have been upgraded in accordance with the latest Australian standards, including changing the speed hump ramp grades and adding yellow crossing points across the Formby Road to designate a shared path crossing arrangement, including bikes & scooters. Previously there was just a pedestrian zebra crossing arrangement.

Robert (Bob Vellacott), 11 Cocker Place, Devonport

Mayor I refer to my questions one on notice and the CEO's Response in the Agenda for tonight's meeting in regard to the Ethos Retail Study and Fenton Way precinct. The words I wrote were - **Who originally** in the planning made the decision was very explicit, however in the CEO's response which has been endorsed by you all this evening, you evaded answering that simple request and informed among other things "*Council has endorsed the proposed changes to the Fenton Way precinct*" So I ask the question again, but re-worded. I'm not after the person's name.

Q1 What officer or what was the title of the person who decided or whose idea it was for the amount of land to be subdivided or made available for sale that would reduce the parking spaces? This is to do with Harris Scarfe's area.

I contend that it would have been possible, bearing in mind the wish for further enhancements etc. if the sale of the block was conditional if the building, at design stage, was positioned so as to maintain or include public parking spaces and this would have thus kept the status quo, of easily accessible parking especially for those less ambulatory ?

It is obvious council gave no consideration to the recommendations of the Ethos Retail Study or thought about the aging demographics of the city's population, getting rid of those on level car parking all round the place. So whose idea was it to get rid of all these parking spots?

Response

The Chief Executive Officer responded that there was no one individual or one particular position that made that decision - it has been part of the concept design that council has been working on for some time. There has been a range of staff working on it and ultimately, as CEO, I brought that advice to Council and Council made the ultimate decision. There has been numerous people that have provided input and Council believes it is the best available outcome for that space going forward.

Q2. In response to my Questions 2 & 3 on notice, Council advised that ".a greater proportion of parking spaces in the Fenton Way off-street car park are now available for use by members of the general public." Will Council please clarify the words "greater proportion" in the simplest terms by confirming the previous actual

number of public parking spaces i.e., Fenton Way and the row of approx. 20 spaces since removed in the off-street car park) and the number of spaces now currently available for public parking in the Harris Scarfe car park? So the total number removed and what we are going to finish up with in that particular car park?

Response

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

Q3 Mayor- I refer to my Question without notice at the May council meeting where I asked if you were permitted to disclose any details about the licencing agreement at the Bass Strait Maritime Museum that was listed in the closed secret session; you informed the item is listed on the confidential agenda therefore the question is disallowed.

Since that meeting, quite by accident I happened to find some detail about that secret subject listed. And I assure you I am not a computer hacker. Apparently council's super-doooper computer with artificial intelligence has fallen down on its job and maybe leaking like a sieve. My question is - am I permitted to disclose what I found out?

Response

The Mayor responded she was unable to understand what Mr Vellacott was referring to unless he was willing to disclose it however he is welcome to share it with her after the meeting if he chooses to.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil.

3.4 NOTICES OF MOTION

Nil

4 PLANNING AUTHORITY MATTERS

4.1 PA2025.0073 - 22 BROOKE STREET EAST DEVONPORT - RESIDENTIAL (MULTIPLE DWELLINGS X 6)

25/123 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Martin

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 PA2025.0073 and grant a Permit to use and develop land identified as 22 Brooke Street, East Devonport for the following purposes:

- Residential (multiple dwellings x 6)

Subject to the following conditions:

Planning Conditions

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Six Proposed Timber Framed Units - DWG No. 2325 (1-10), dated 10/04/2025 by Weeda Drafting & Building Consultants Pty Ltd. A copy of which is attached and endorsed as documents forming part of this Planning Permit.
2. Prior to lodging any subsequent applications under the *Building Act 2016*, the applicant must provide amended plans to the satisfaction of the Planning Authority. These plans must show bin storage areas for Units 2–5 that are accessible without requiring bins to be moved through the respective dwellings and must comply with A1 of development standard 8.4.8 – *Waste storage for multiple dwellings* of the *Tasmanian Planning Scheme - Devonport*.

Infrastructure Conditions

3. Stormwater is to be discharged in accordance with the National Construction Code.
4. In regard to stormwater, long sections and design calculations prepared by a suitably qualified engineer are to be provided to Council for approval with any subsequent building and plumbing permit applications.
5. 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 storm events up to and including 100 year ARI. All design calculations are to be submitted for approval by the City Engineer prior to lodgement of any subsequent applications made under the *Building Act 2016*.
6. Subject to condition 6, 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.
7. A new driveway is to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09-v3.
8. All vehicular parking and manoeuvring areas for light vehicles must be sealed with an impervious surface, such as standard concrete or sealed granular pavement, to the satisfaction of Council. Parking spaces are to be delineated by line marking or other clear physical means and have signage identifying 'no parking', unit allocation and visitor parking.
9. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street car parking. In addition, the requirements of AS/NZS 2890.6:2022 - Parking facilities - Off-street parking for people with disabilities are to be met.

10. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
11. The developer is to ensure that the 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.
12. There is to be no uncontrolled overland flow of stormwater from the proposed development to any of the adjoining properties.
13. Waste collection for the development is to occur along the property frontage. Internal collection as demonstrated on the plans is not supported by Council as an acceptable method unless an agreement is executed between the developer, Council and the waste contractor.

TasWater Condition

14. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice (TWDA 2025/00683-DCC) 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.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 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*.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

All strata applications submitted to Council must comply with the requirements outlined in the Council's *Strata Scheme Policy*, including relevant provisions of the *Strata Titles Act 1998* and associated planning and building approvals

Future street addressing for the multiple dwelling development is to be as follows:

Unit Number on Site Plan	Future Address
1	Unit 1/22 Brooke Street
2	Unit 2/22 Brooke Street
3	Unit 3/22 Brooke Street
4	Unit 4/22 Brooke Street
5	Unit 5/22 Brooke Street
6	Unit 6/22 Brooke Street

Council notes that the adjoining property – 24 Brooke Street currently utilises the access of 22 Brooke Street to access their property. No formal right of access is identified. It is recommended the owner/developer works with the owner of this property to formalise the access arrangement.

In regard to conditions 14 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 3-13 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

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

CARRIED 8 / 0

5 REPORTS

5.1 TENDER REPORT CT0393 ANNUAL RESEAL PROGRAM

Council Officer A Mounthey left the meeting at 5:56pm.

25/124 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

That Council, in relation to Contracts CT0393-01 and CT0393-02 for the delivery of the Annual Reseal Program:

1. Award contract CT0393-01 Supply, Delivery and Placement of Hotmix Asphalt to Hardings Group for the tendered sum of \$612,135 including the hotmix schedule of rates (ex GST);
2. Award contract CT0393-02 Supply, Delivery and Placement of Sprayed Bituminous Surfacing to Hardings Group for the tendered sum of \$201,495 including the Reseal Preparation Works for the tendered sum of \$109,239 (ex GST);
3. Note the assessment of roads and scope of works may be adjusted or other roads included to meet condition and serviceability intervention levels within the capital and operating budget allocations; and
4. Allow project management and administration costs of \$18,000 (ex GST).

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

CARRIED 8 / 0

5.2 CB0129 DEVONPORT STADIUM - SITE WORKS

25/125 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Ennis

That Council, in relation to *Contract CB0129 Devonport Stadium*, award the contract for Early Site Works to Fairbrother Pty Ltd for the sum of \$3,820,990 (ex GST).

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

CARRIED 8 / 0

5.3 PROJECT REPORT - CP0261 AQUATIC CENTRE RELINE OUTDOOR POOLS

25/126 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Murphy

That Council, in relation to project "CP0261 Aquatic Centre – Reline Outdoor Pools":

1. note the extenuating circumstances of the current pool condition, the proposed contractors site knowledge and the timeframe needed to deliver the objectives of the project;
2. endorse a tender exemption due to these circumstances in accordance with Regulation 28 of the *Local Government (General) Regulations 2025*; and
3. Award the contract for project CP0261 Aquatic Centre – Reline Outdoor Pools to Penguin Composites for the lump sum amount of \$626,000.

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

CARRIED 8 / 0

5.4 COMMUNITY ACTIVITIES 2025/26 FINANCIAL YEAR

Cr Murphy left the meeting at 6:10 pm.

25/127 RESOLUTION

MOVED: Cr Wilczynski
SECONDED: Cr Ennis

That the report outlining key activities and programs within the Community Services 2025/26 budget be received and noted.

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

CARRIED 7 / 0

Cr Murphy returned to the meeting at 6:12 pm.

5.5 ENVIRONMENT STRATEGY 2025-2030

25/128 RESOLUTION

MOVED: Cr Sheehan
SECONDED: Cr Enniss

That Council:

1. note the feedback received during the consultation period on the draft Environment Strategy 2025-2030; and
2. adopt the amended Environment Strategy 2025-2030.

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 VOLUNTEER SUSTAINABILITY STRATEGY - STATUS UPDATE REPORT

25/129 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Martin

That Council receive and note the status of actions listed in the Devonport Community Volunteer Sustainability Strategy 2021-2026.

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 COMMUNITY ENGAGEMENT - FIRST NATIONS ACTION PLAN

Council Officer G Dobson left the meeting at 6:23pm.

25/130 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

That Council receive the First Nations Engagement Action Plan as presented in this report, and endorse the actions contained within the plan for implementation by Council.

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 PROPOSAL FOR FLOOD & SWIFTWATER RESCUE BASE FACILITY - SURF LIFE SAVING TASMANIA

25/131 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Martin

That Council endorse Surf Life Saving Tasmania's request to establish a Flood and Swiftwater Rescue Base Facility at Horsehead Creek.

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

25/132 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Wilczynski

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

25/133 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Sheehan

That the Mayor's Monthly Report be received and noted.

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

CARRIED 8 / 0

6.3 CEO'S REPORT

25/134 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Murphy

That the Chief Executive Officer's Report be received and noted.

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

CARRIED 8 / 0

6.4 MONTHLY OPERATIONAL REPORT - JUNE 2025

25/135 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Wilczynski

That Council receive and note the Monthly Operational Report for the period ending 30 June 2025.

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

CARRIED 8 / 0

7 CLOSED SESSION

25/136 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Moore

That in accordance with Regulation 17 of the *Local Government (Meeting Procedures) Regulations 2025*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2025 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 23 June 2025	17(2)(h)
3.2	Application for Leave of Absence	17(2)(i); 17(2)(j)
4.1	Confidential Attachments	17(2)(h)
5.1	General Manager's Performance Review	17(2)(a)
5.2	Project Report – CS0128 East Devonport Stormwater Upgrade	17(2)(c)
5.3	Endorsement of Burnie City Council's re-admission to the CCA	17(2)(h)(ii)

FOR: Cr Enniss, 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 6:55pm to reconvene in Closed Session at 7:02pm.
The Council moved out Closed Session at 7:30pm.**

Council resumed in open session at 7:30pm.

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 – 23 June 2025	Confirmed
3.2	Application for Leave of Absence	Approved
4.1	Confidential Attachments	Noted
5.1	General Manager's Performance Review	Approved
5.2	Project Report – CS0128 East Devonport Stormwater Upgrade	Approved
5.3	Endorsement of Burnie City Council's Re-admission to the CCA	Endorsed

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 7:30pm.

Confirmed : Minutes confirmed 25 August 2025 - MIN Refers 25/144


Chairperson