

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL  
HELD IN THE ABERDEEN ROOM paranaple centre, 137 ROOKE STREET, DEVONPORT  
ON MONDAY, 22 OCTOBER 2018 COMMENCING AT 5:30PM**

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	6:19	49 minutes
Closed Session	6:20pm	6:45pm	25 minutes
Total			1 hour 14 minutes

**PRESENT:** Ald A L Rockliff (Acting Mayor)  
Ald L M Perry (Acting Deputy Mayor)  
Ald C D Emmerton  
Ald G F Goodwin  
Ald A J Jarman  
Ald L M Laycock  
Ald J F Matthews  
Ald T M Milne

**Council Officers:**

General Manager, P West  
Deputy General Manager, M Atkins  
Executive Manager Corporate Services, J Griffith  
Executive Manager Organisational Development, K Peebles  
Community Services Manager, K Hampton  
Executive Officer, J Surtees  
Media & Communication Officer, N Tapp

**Audio Recording:**

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 24 SEPTEMBER 2018**

**185/18 RESOLUTION**

MOVED: Ald Perry  
SECONDED: Ald Goodwin

That the minutes of the Council meeting held on 24 September 2018 as circulated be confirmed.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

### 3.2 PUBLIC QUESTION TIME

#### 3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

##### 186/18 RESOLUTION

MOVED: Ald Laycock

SECONDED: Ald Perry

That the responses to questions from Mr Doug Janney and Mr Trevor Smith at the 24 September 2018 Council meeting be noted.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

#### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Nil

#### 3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

##### TREVOR SMITH – 7 GLEN COURT, DEVONPORT

**Q1** With reference to file 31375, you state that the line markings were found to be in good condition, except for the line markings on the two road humps, which was somewhat worn.

Why did you re-do, the two painted pedestrian crossings, closer to the Splash Aquatic Centre, which were in the same state as the road humps. These repainted road crossings were completed at least two months ago, so if it's good enough to have those crossings done, it should be the same for the existing road humps?

**Q2** Why has it taken so long, for your Council workers, to notice that the tree at 209 Best Street Devonport, needs its branches trimmed? Even Australia Post workers struggle to ride their bikes under this tree; this issue has come up before with question time.

##### **Response**

At Mr Smith's request the Mayor took the questions on notice with a response to be provided in writing.

##### DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT

**Q1** At what year in the Long Term Financial Plan ending in 2025/26 is it forecast that the Multi Storey carpark will generate revenue in excess of all costs?

**Response**

The Acting Mayor advised that the question would be taken on notice and a response provided in writing.

**RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

My question is in relation to the August meeting of Devonport City Council which was Devonport City Council's response to question 4 of Bob Vellacott's question. Devonport City Council response was: Council has no intention of providing itemised costing information to you, or anyone else not directly associated with the project. Excellent answer.

**Q1** My question is was it really necessary for Devonport City Council to add the next sentence to the answer?

**Response**

The Acting Mayor responded; obviously we felt it was at that point.

**Q2** When will the Devonport Regional Gallery sign be removed from the old Gallery in Stewart Street?

**Response**

The Acting Mayor responded; I'm assuming when we move the Gallery into the new building.

**MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA**

My question is in relation to the August meeting of Devonport City Council which was Devonport City Council's response to question 4 of Bob Vellacott's question. Devonport City Council response was: Council has no intention of providing itemised costing information to you, or anyone else not directly associated with the project. Excellent answer.

**Q1.** We have repeatedly been told by Council that Providore Place Devonport Pty Ltd is fully responsibility for the food pavilion including running the markets/events and securing and managing tenants such as the Tasmanian Chip Company Pty Ltd, Charlotte Jack restaurant and the Southern Wild Distillery. Has Providore Place Devonport Pty Ltd been paying lease payments to the Council since first use of these respective areas of the food pavilion?

**Response**

The Acting Mayor advised that the question would be taken on notice and a response provided in writing.

**Q2.** Is the income from the Providore Place food pavilion as expected and in accord with Council's budget and if not what is the approximate percentage received of the budgeted amount?

**Response**

The Acting Mayor advised that the question would be taken on notice and a response provided in writing.

**BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

**Q1** I note in the agenda for this meeting the following is listed in the Closed Session.  
Item 8.3 "Living City Waterfront – Development Application Lodgement" AND  
8.4 "Hotel Land Sale"

I suggest it would be fair to say, because this is the last meeting before the results of the Council election are known, Council could now be considered as being in a caretaker mode.

I also suggest it would be only reasonable and show good prudence to defer any such important decisions and others listed tonight that would enforce the newly, elected Council to implement and carry out. (Other than of course those of an administrative and essential nature.)

Would you therefore Acting Mayor and Aldermen extend that courtesy to the future Aldermen, whoever they may be, who will preside after the elections, in this chamber?

**Response**

The Acting Mayor advised that Local Government is different to State and Federal Government in that we do not go into a caretaker mode. We are the Council of the City until the Declaration of the Polls for this current election, so it is our responsibility to make decisions for this City, at this point.

**Q2** In Appendix A; of Council's Long Term Financial Plan – Specific Assumptions for Living City Project it states –

“It is assumed that Council will dispose of land for the hotel development in 2019/2020 for \$1,000,000 (one million dollars)

- (a) Does Council intend to convert the property into a green field site before disposing of it? And
- (b) Will Council disclose the actual total cost borne by ratepayers for the purchase and improvements of the property intended to be disposed of for the hotel?

**Response**

The Acting Mayor advised that will be a decision that will happen in Closed Session.

**MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA**

**Q3.** At the last meeting the General Manager advised in response to a question on the Development Manager's contract that was due to expire on the 18 September 2018 - *“There is no extension to the contract, they have contractual obligations under the contract to finalise with the Stage 1 development.”* Is Grant Hirst being retained in any capacity whatsoever relating to the Stage 2 new retail precinct or the Stage 3 Waterfront Precinct?

**Response**

The Acting Mayor responded “no”.

**BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

**Q3** Has Council sought permission from TasPorts and received a positive reply in regard to the proposal to construct a marina as part of the Waterfront Development?

**Response**

The Acting Mayor responded that the marina is part of the private development as far as the hotel etc is concerned it won't be a Council responsibility.

The Deputy General Manager advised the marina is part of the scope of the hotel developer but Council has had some negotiations with TasPorts, TasRail and all of the authorities that are in that area in relation to the proposed developments.

**3.3 QUESTIONS FROM ALDERMEN**

Nil

### 3.4 NOTICES OF MOTION

#### 3.4.1 FUTURE VISITATION - AUSTRALIAN NAVY SHIPS - NOTICE OF MOTION - ALD L M LAYCOCK (D549874)

##### 187/18 RESOLUTION

MOVED: Ald Laycock  
SECONDED: Ald Matthews

That this Council investigate future visits of Australian Navy ships into Devonport, through Naval headquarters in Hobart and make contact with the American Embassy in Canberra regarding their Naval ships visiting our port as well.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

### 4.0 PLANNING AUTHORITY MATTERS

There were no items to consider as a Planning Authority.

### 5.0 REPORTS

#### 5.1 TENDER REPORT CF0023 SUPPLY & DELIVERY OF SIDE LOAD GARBAGE TRUCK (D547429)

##### 188/18 RESOLUTION

MOVED: Ald Goodwin  
SECONDED: Ald Perry

That Council, in relation to Contract CF0023 supply & delivery side load garbage truck:

- award the tender to Isuzu Australia for the tendered sum of \$335,582 (ex GST); and
- accept additional expenditure of \$25,582, above the budget allocation.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

#### 5.2 TENDER REPORT CONTRACT CB0091 EAST DEVONPORT FORESHORE TOILET (D548960)

##### 189/18 RESOLUTION

MOVED: Ald Jarman  
SECONDED: Ald Milne

That Council, in relation to Contract CB0091 East Devonport foreshore toilet block:

- a) award the contract to AJR Construct Pty Ltd for the tendered sum of \$188,983 (ex GST);
- b) note that project management & administration cost for the project are \$19,500 (ex GST); and
- c) note a construction contingency of \$9,500 (ex GST) has been allowed.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

### 5.3 TASMANIAN MASTERS GAMES (D549142)

MOVED: Ald Matthews  
 SECONDED: Ald Perry

That Council, in relation to the Tasmanian Masters Games, determine that it will proceed with the event in the financial year 2019/20 and understands that this will require funding to be sourced and/or allocated as part of Council's 2019/20 budget.

	For	Against		For	Against
Ald Rockliff		✓	Ald Laycock		✓
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin		✓	Ald Milne		✓
Ald Jarman		✓	Ald Perry		✓

LOST

### 190/18 RESOLUTION

MOVED: Ald Goodwin  
 SECONDED: Ald Perry

That Council, based on the likely difficulty in securing sponsorship and participation for the Tasmanian Masters Games, determine not to proceed with the concept at this time.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews		✓
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED

### 5.4 TASTE THE HARVEST - FINANCIAL SUPPORT REQUEST FROM LIONS CLUB OF CITY OF DEVONPORT INC (D549148)

#### 191/18 RESOLUTION

MOVED: Ald Goodwin  
 SECONDED: Ald Jarman

That Council in relation to the request from the Devonport Lions Club Inc agree to underwrite the Taste the Harvest event for the 2019 and 2020 events, up to a

maximum of \$10,000, should the event have to be cancelled due to weather conditions.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

## 5.5 DEVONPORT BASKETBALL COUNCIL - GYMNASIUM EQUIPMENT (D549151)

### 192/18 RESOLUTION

MOVED: Ald Matthews

SECONDED: Ald Milne

That Council:

- a) transfer ownership of all gymnasium equipment located at the Devonport Recreation Centre to Devonport Basketball Council upon the signing of a transfer deed accepting all responsibility for the equipment; and
- b) write off an amount of \$1,912.45 relating to two items of gymnasium equipment.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

## 5.6 CAPITAL PROJECTS FUNDING - CARRIED FORWARDS 1 JULY 2018 (D549565)

### 193/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Perry

That the report of the General Manager relating to the carried forward capital works for the year commencing 1 July 2018 be received and that Council in accordance with Section 82(4) of the *Local Government Act 1993* by absolute majority amend the 2018/19 estimates to adjust the carried forward capital works projects budget as listed in this report to the value of \$16,659,094.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

<b>6.0 INFORMATION</b>
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**6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D499011)**

**194/18 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Laycock

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

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

**6.2 MAYOR'S REPORT (D498992)**

**195/18 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Milne

That the Mayor's report be received and noted.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

**6.3 GENERAL MANAGER'S REPORT - OCTOBER 2018 (D498976)**

**196/18 RESOLUTION**

MOVED: Ald Jarman

SECONDED: Ald Goodwin

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

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY



<b>7.0 SECTION 23 COMMITTEES</b>
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**7.1 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 8 OCTOBER 2018 (D548917)**

**197/18 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Laycock

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 8 October 2018 be received and the recommendations contained therein be adopted.

IWC 36/18 North West Coastal Pathway - Ambleside to Latrobe

IWC 37/18 North West Coastal Pathway - Funding Options

IWC 38/18 Pedestrian Strategy 2016-2021 - Year Two Status Update

IWC 39/18 Development and Health Services Report

IWC 40/18 Infrastructure and Works Report

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

**EFFECTIVE DECISIONS OF THE INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE CONFIRMED BY COUNCIL**

**IWC 36/18 North West Coastal Pathway - Ambleside to Latrobe**

That the report of the City Engineer on the status of the North West Coastal Pathway be received and noted.

**IWC 37/18 North West Coastal Pathway - Funding Options**

That the report of the City Engineer be noted and that:

1. Council write to the Cradle Coast Authority to confirm it will commit \$1,600,000 to the Coastal pathway project in 2019-20 and 2020-21; and
2. consider necessary budget adjustments during the 2019/20 budget deliberations.

**IWC 38/18 Pedestrian Strategy 2016-2021 - Year Two Status Update**

That the report of the City Engineer be received and Council note the status of actions listed in the Pedestrian Strategy.

**IWC 39/18 Development and Health Services Report**

That the Development and Health Services Report be received and noted.

**IWC 40/18 Infrastructure and Works Report**

That the Infrastructure and Works report be received and noted.

**The Acting Mayor made the following comment:**

That being the final item on the open part of the agenda, before we finish I would simply like to publicly acknowledge the two retiring Aldermen in the room, who we know won't be back. I would like to thank Ald Emmerton and Ald Matthews for their contribution. Ald Matthews over a fairly long period of time and Ald Emmerton over the course of the life of this Council, but both of your contributions have been immense and I certainly appreciate your support and your work over that period of time. I want to thank you for that and I wish you both well, in whatever happens next, so thank you.

**8.0 CLOSED SESSION****198/18 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Perry

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Confirmation of Closed Minutes – Council Meeting – 24 September 2018	15(2)(g)
8.2	Application for Leave of Absence	15(2)(i)
8.3	LIVING CITY Waterfront – Development Application Lodgement	15(2)(c)
8.4	Hotel Land Sale	15(2)(f)
8.5	Unconfirmed Minutes – Joint Authorities	15(20)(g)

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Emmerton	✓		Ald Matthews	✓	
Ald Goodwin	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Perry	✓	

CARRIED UNANIMOUSLY

**The Acting Mayor adjourned the meeting at 6:19pm to reconvene in Closed Session at 6:20pm.**

**The Council moved out Closed Session at 6:45pm.**

**Council resumed in open session at 6:45pm.**

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
8.1	Confirmation of Closed Minutes - Council Meeting - 24 September 2018	Confirmed
8.2	Application for Leave of Absence	

8.3	LIVING CITY Waterfront - Development Application Lodgement	Endorsed project to proceed to lodgement of DA.
8.4	Hotel Land Sale	Authorised General Manager to finalise the land sale and the Mayor to make an announcement of the sale at the appropriate time.
8.5	Unconfirmed Minutes - Joint Authorities	Noted

**CLOSURE**

**There being no further business on the agenda the Mayor declared the meeting closed at 6:45pm.**

Confirmed

Chairman