

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL
HELD IN THE ABERDEEN ROOM paranaple centre, 137 ROOKE STREET, DEVONPORT
ON MONDAY, 24 SEPTEMBER 2018 COMMENCING AT 5:30PM**

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:54pm	1 hour 24 minutes
Closed Session	6:55pm	7:08pm	13 minutes
Total			1 hours 37 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 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
Acting Development & Health Manager, K Lunson
Planning Officer, A Mountney

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

The following apology was received for the meeting.

Ald J F Matthews	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 27 AUGUST 2018

157/18 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Milne

That the minutes of the Council meeting held on 27 August 2018 as circulated be confirmed.

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

CARRIED UNANIMOUSLY

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

158/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Laycock

That the responses to questions from Ms Wendy Hilditch, Mr Malcolm Gardam and Mr Tony Butler at the 27 August 2018 Council meeting be noted.

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

CARRIED UNANIMOUSLY

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

159/18 RESOLUTION

MOVED: Ald Milne

SECONDED: Ald Laycock

That Council in relation to the correspondence received from Mr Bob Vellacott endorse the response proposed and authorise its release.

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

CARRIED UNANIMOUSLY

3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT

The multistorey carpark was operational in December 2017.

The empty spaces meters do not record accurately. As at noon today there are about 100 more empty spaces than indicated. Turn the meters off!

I communicated to the Council on the 8th July and stated:-

“The lane divider on Best Street at the entrance to the multistorey carpark is dangerous in the dark and wet. Line markings are hard to see and the divider had no illuminating direction sign.

My first experience of the foregoing was on Tuesday 5th July at about 5:30pm in the dark and heavy rain.

The lane divider needs to be appropriately marked forthwith.

Please advise when and what will be done?"

On the 9th July I was advised that the dangerous situation was under consideration. Some 11 weeks have gone by and nothing has happened!

Q1 At what date will an accurate working system for the empty spaces meters be operational?

Response

The General Manager advised the counter is actually counting the first two levels, the ground level and level 1. Because there is a reduced rate for the roof level, those 190 spaces are not actually counted by the counter. There will be some changes to the signage, which will advise the public of the amount of spaces that are available on ground and level 1 and that there are an additional 190 early bird spaces on the roof level.

Q2 At what date will the dangerous street divider no longer be dangerous?

Response

The question was taken on notice with a response to be provided in writing.

TREVOR SMITH – 7 GLEN COURT, DEVONPORT

Q1 Could you give me the reasons why this Council is not in favour of compulsory voting in Council elections, where Hobart Council with a bigger population is in favour?

Q2 Earlier this year, it was mentioned in the Advocate, that the Splash Devonport Aquatic and Leisure Centre was opened in 2014. I have noticed that the line markings from the entry point at the end of Stseele Street, all the way down to the carpark, are in urgent need to be redone after 4 years wear. How soon will these repairs take place in this financial year?

Response

At Mr Smith's request The questions were taken on notice for a response to be provided in writing.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Q1. Council has previously advised that the Living City's Development Manager contract with Projects + Infrastructure was to expire on the 18th September 2018; accordingly, will council please confirm if retention of P+i's services are being considered or already extended under contract or otherwise?

Response

The General Manager advised that the contract with P+i is currently due to expire but as there is still some project work that is happening with Stage 1 their contract will be completed when this is finalised.

Malcolm Gardam – that as clarification, I was advised that it expired on the 18th, so it's a sort of extension to the project.

General Manager – There is no extension to the contract, they have contractual obligations under the contract to finalise with the Stage 1 development.

Q2. With reference to the newspaper article "City's grand addition" (Advocate 21/09/18) stating in relation to the convention centre that "Consideration is being given to opening the bar on Friday afternoons." can council please advise why when there are many existing venues open on a full time basis in

the CBD area and this would amount to no more than ratepayer subsidised competition?

Response

The Acting Mayor said that the word there is consideration. There certainly has been no conversation around the Council table on the issue.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

I refer to the current Agenda page 9 in regard to my question on notice for the 24 September 2018 and your response item 3.2.2 on page 8.

Whilst it may be in order and reasonable for Council to advertise in various publications and give space on the official website to tourism establishments and special events; there is, I contend a vast difference between assisting and promoting a private company such as Providore Place Devonport Pty Limited especially one where possible conflicts of interest could occur.

Q1 Is it really Council's role to provide continuing promotion to a private company who is the head lessor of a property so as to assist them to sub lease the Council subsidised space to businesses that will be in direct opposition to existing genuine private rate paying establishments?

Response

The Acting Mayor advised that is your opinion of the decisions that have been made and obviously we have already answered your questions and I'm not going to add anything else to that.

Q2 With reference to Page 91 of the current Agenda – 24 September 2018 Workshops and Briefing Sessions where it is noted that an update was given to Council on the 13th September 2018 by the head lessee in relation to Providore Place activities; can Council please advise when will the Tasmanian fresh food market in the \$9.5 million food pavilion which stated by Council to be a major Living City tourism attraction commence trading 7 days a week as per the commitment made to ratepayers?

Response

The Acting Mayor advised that is a decision for the lessor of Providore Place and that will be an ongoing process.

Bob Vellacott – so at this point in time, there is no commitment when it will be open?

Acting Mayor – it is a continuing work in progress and as you are aware it has already doubled the amount of time that the market is open and that will continue to increase over the next few months.

LEE-ANNE GOSS – 102-108 BROOKE STREET, EAST DEVONPORT

Q1 Stormwater – over the years we have had an open ditch out the front for the properties that are there now, that ditch isn't adequate, it overflows in winter. We have had SES in the street over winter to sandbag people's driveways because the infrastructure that is there now. So, that stormwater has never adequately been able to take the properties that are there now and with the new buildings happening next door, how is it going to be able to take on that stormwater as well?

Response

The General Manager advised that the issues around this particular item is on the current agenda which will obviously be a subject that is under consideration by Council. Those issues have been addressed in the report and it will be a matter for the Aldermen to consider that as part of their deliberations. It is clear under the

planning process that there have been some representations that have been made and in some of those issues have been raised and have been addressed as part of the report.

Q2 The stormwater as I said for that area, is inadequate. There was a new subdivision put in on the opposite side of the road, and only a few hundred metres down the road. They have had to comply with kerbing and guttering, footpaths and stormwater. There was a development that was put to Council a few years ago, behind me, for Bovill Street and Upper Drew Street. The gentleman that wanted to do that was also told that he would have to comply with Council of stormwater, footpaths, kerbing and guttering and when the block next door to us, first hit the market we were offered a share of that block and we considered it and that also would have had to come up to Council standard with adequate stormwater, kerbing and guttering. So, my question is if everybody else around us had to comply with Council regulations for stormwater can this project please be really deeply considered on leaving the open ditches there and not having the public safety of a footpath for the people that are going to live on this side to enter and exit it safely?

Response

The Acting Mayor stated that she felt that the General Manager has addressed that part of your question in that we are dealing with that in this planning application, so I appreciate your questions and hopefully we will have some answers for you.

TREVOR SMITH – 7 GLEN COURT, DEVONPORT

Q3 How much has the Devonport Council spent on advertising with the Advocate newspaper in the financial years of 2016-17 and also 2017-18?

Response

At Mr Smiths request the question was taken on notice for a response to be provided in writing.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

Q3 In relation to the public events being held in Providore Place, including the weekly Sunday and Friday evening markets, will Council please advise as to who is paying for the running of the power and gas heaters and if Providore Place (Devonport) Pty Ltd are they being directly or indirectly reimbursed for such expenses?

Response

The Acting Mayor advised that they are paying and no they are not. They are paying for them and they are not being reimbursed.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Q3. If council does proceed to open the convention centre bar on Friday afternoons, who or what entity is envisaged to be managing and benefiting from what would be just opening at a perceived opportunistic time without associated annual costs of existing venues, including council's own Providore Place tenants?

Response

The Deputy Mayor responded, as we have already answered, it hasn't been discussed around the Council table, so I cannot answer your question.

3.3 QUESTIONS ON NOTICE FROM ALDERMEN**160/18 RESOLUTION**

MOVED: Ald Milne
 SECONDED: Ald Goodwin

That the response be noted.

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

CARRIED UNANIMOUSLY

3.4 NOTICES OF MOTION**3.4.1 PLAYGROUND - MIANDETTA - DISABILITY ACCESS (D542398)**

MOVED: Ald Milne

MOTION

"That Council:

- a) when the new playground is installed at Miandetta make every effort to ensure the playground is accessible by children and adults with disability; this will include accessible paths and parking at the park; and
- b) a Liberty swing be investigated at a suitable playground location in Devonport."

The motion lapsed for the want of a seconder.

3.4.2 REVIEW OF PARKING PERMIT SYSTEM - NOTICE OF MOTION - ALD T M MILNE (D543439)

MOVED: Ald Milne
 SECONDED: Ald Emmerton

That until a review of the parking permit system is completed and alternatives have been found to equitably meet the needs of those using Pensioner Parking booklets, that in the interim, those who are disadvantaged by having to pay to use PAYL parking and are not able to use their voucher booklets are entitled to a refund from Council on presentation of the correctly filled out voucher book, stating time, and location of parking. The refund will only be to the equivalent of the free parking voucher and must be made in person at Council office.

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

LOST

161/18 RESOLUTION

MOVED: Ald Laycock
 SECONDED: Ald Goodwin

That Council notes that its current 'Concession Voucher Booklet System' is to be reviewed during the current financial year and is an action under the Annual Plan, however it requests that this review be expediated to ensure that the new Council, once elected, can consider its options for making the system simpler and more equitable particularly as it relates to the use of the pay-as-you-leave car parking facilities.

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

CARRIED UNANIMOUSLY

3.4.3 OWNERSHIP OF BASS STREET, EAST DEVONPORT - NOTICE OF MOTION - ALD G F GOODWIN (D544108)

162/18 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Perry

That Council pursue the formal recognition of Bass Street, East Devonport as a public road and that Council be provided with a report on the process necessary, and the likely obligations which can be expected by such recognition.

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

CARRIED UNANIMOUSLY

3.4.4 ALLOCATION OF FUNDING - DULVERTON RECYCLING CARD - NOTICE OF MOTION - ALD A J JARMAN (D544812)

163/18 RESOLUTION

MOVED: Ald Jarman
SECONDED: Ald Goodwin

That Council allocate funding to supply the Dulverton Recycling card to all ratepayers with their rates notice next instalment, with or without a Fridge Magnet attached.

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

CARRIED UNANIMOUSLY

4.0 PLANNING AUTHORITY MATTERS

4.1 PA2018.0137 PERMITTED USE - RESIDENTIAL (WORKERS ACCOMMODATION) DISCRETIONARY - ASSESSMENT AGAINST PERFORMANCE CRITERIA FOR LOCATION OF CAR PARKING AND PROVISION OF CAR PARKING - 80-100 BROOKE STREET EAST DEVONPORT (D545219)

164/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Milne

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0137 and grant a Permit to use and develop land identified as 80-100 Brooke Street, East Devonport for the following purposes:

- Permitted use – Residential (workers accommodation)
- Discretionary – assessment against performance criteria for location of car parking and provision of car parking

Subject to the following conditions:

Planning Conditions

1. Unless required by subsequent conditions, the use and development is to proceed generally in accordance with the submitted plans and documentation referenced as:
 - Drawings 1-3 referenced under Job Number 41826, dated 20/08/2018 by PDA Surveyors; and
 - Planning assessment dated 21/08/2018 by PDA Surveyors,copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. The development is approved to be utilised for workers accommodation only.
3. All vegetation to be included as part of the development is to be an allergy friendly species (refer to note).
4. Prior to or at the time of lodgement of the building application, the developer is to provide an amended site plan showing provision for additional parking spaces on the site. The additional parking area is not required to be developed unless the initial car park offering is constantly at capacity.
5. 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 or the *Environmental Management and Pollution Control Act 1994*.

City Infrastructure Conditions

6. Prior to or at the time of lodgement of the building application, the developer is to submit for approval by Council's City Engineer, detailed design drawings prepared by a suitably qualified engineer detailing the

proposed vehicle hardstand parking area and stormwater cut-off drainage, in this regard consideration must be given to:

- a) Adequate pavement design including all weather surfacing;
 - b) Methods of stormwater control and discharge to either the existing road side drainage or the existing Council open drain along the eastern property boundary;
 - c) Open drain scour and discharge protection;
 - d) Protection of the existing Council open drain located near the eastern boundary of the development lot; and
 - e) Vehicular turning ability within the proposed hardstand area.
7. The proposed sealed vehicular access crossovers to the property boundary are to be generally constructed in accordance with IPWEA Tasmanian Standard Drawing TSD-R03-v1 and TSD-R04-v1. Both driveways will require a 300mm dia concrete culvert and headwalls as shown in the standard drawings.
 8. The screening hedge along the eastern boundary is to be relocated clear of the existing open drain.
 9. Concentrated stormwater discharge is to be disposed of in accordance with the requirements of the current National Construction Code.
 10. Other than for the purposes of vehicular access the existing open drainage in Brooke Street is not to be interfered with.
 11. Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

TasWater Condition

12. The developer is to comply with the conditions contained 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* - refer to **Attachment 2**.

Note: The following is provided for information purposes.

In regard to condition 3, the developer is to provide a list of proposed vegetation species for the approval of Council's Development & Health Services Manager. Plantings are not to commence until written authorisation from the Development & Health Services Manager has occurred.

Any expansion of the site (eg additional cabins) or change of use to visitor accommodation will be subject to further planning approval.

THIS IS NOT A BUILDING OR PLUMBING PERMIT.

Prior to commencing any building or plumbing work you are required to:

Contact a Tasmanian registered Building Surveyor to determine the category of building approval required, and

Contact the Council Permit Authority to determine the category of plumbing approval required.

In regard to condition 12 the applicant/developer should contact TasWater – Ph 136 992 with any enquiries.

In regard to conditions 6-11 the applicant/developer should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

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

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

CARRIED

Alex Mountney left the meeting at 6:28pm.

5.0 REPORTS

5.1 TENDER REPORT CONTRACT CT0219-01 SUPPLY, DELIVERY AND PLACEMENT OF HOTMIX ASPHALT (D539994)

165/18 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Emmerton

That Council, in relation to Contract CT0219-01 – Supply, Delivery and Placement of Hotmix Asphalt Sealing Service:

- award the contract to Hardings Hotmix at their tendered rates; and
- note that design and project management for the total reseal project, including both hotmix and sprayed bituminous surfacing is estimated at \$18,000 (ex GST).

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

CARRIED UNANIMOUSLY

5.2 TENDER REPORT CONTRACT CT0219-02 SUPPLY, DELIVERY AND PLACEMENT OF SPRAYED BITUMINOUS SURFACING (D539996)

166/18 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Goodwin

That Council, in relation to Contract CT0219-02 – Supply, Delivery and Placement of Sprayed Bituminous Surfacing Services:

- award the contract to Hardings Hotmix at their tendered rates; and
- note that design and project management for the total reseal project, including both hotmix and sprayed bituminous surfacing is estimated at \$18,000 (ex GST).

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

CARRIED UNANIMOUSLY

5.3 TENDER REPORT CONTRACT CT0234 WENVOE STREET RENEWAL (D543738)

167/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Perry

That Council, in relation to Contract CT0234 Wenvoe Street Renewal:

- award the contract to ATM Civil Contracting Pty Ltd for the tendered sum of \$334,852(ex GST);
- note that utility services and pre-purchased material costs are estimated at \$46,935 (ex GST);
- note that project management cost for the project are estimated at \$40,000 (ex GST); and
- note a construction contingency of \$50,000 (ex GST).

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

CARRIED UNANIMOUSLY

5.4 APPOINTMENT OF MUNICIPAL AND DEPUTY COORDINATOR (D543487)

168/18 RESOLUTION

MOVED: Ald Perry

SECONDED: Ald Laycock

That Council in accordance with *Section 23 of the Emergency Management Act 2006*, nominate:

- the Risk Management Coordinator (Karen Stone) as the Municipal Coordinator; and
- the Deputy General Manager (Matthew Atkins) as the Deputy Municipal Coordinator.

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

CARRIED UNANIMOUSLY

Kylie Lunson left the meeting at 6:33pm.

5.5 MARY BINKS MEMORIAL (D544264)**169/18 RESOLUTION**

MOVED: Ald Jarman

SECONDED: Ald Milne

That Council formally determine that the "Mary Street Wetlands" be renamed the "Mary Binks Wetlands" in recognition of the late Mary Binks' contribution to the Devonport community.

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

CARRIED UNANIMOUSLY

5.6 FINANCIAL ASSISTANCE SCHEME - ROUND ONE 2018/2019 (D544562)**170/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Laycock

That the report regarding the Financial Assistance Scheme be received and noted, and Council approve the Major and Minor Grants for Round One of the 2018/2019 Community Financial Assistance budget allocations as follows:

Major Grants

- Mersey Yacht Club Inc \$25,000.00
- East Devonport Tennis Club \$ 9,288.00
- Devonport City Soccer Club \$ 7,500.00
- Devonport Tennis Club \$25,000.00*
- HOPE Christian Church Inc \$ 5,782.63
- Spreyton Football Club \$ 3,863.00

Minor Grants

- Soroptimists International of Devonport \$ 599.50
- Devonport Garden Club \$1,454.97
- Penguin Rehab & Release \$1,000.00
- Mersey Rowing Club \$2,000.00
- Cradle Coast Aquatic Inc \$1,232.50
- Devonport Choral Society Inc \$1,909.00
- Devonport Apex Regatta \$3,000.00

Rate Remissions

- Mersey Rowing Club Inc \$1,617.88
- Don River Railway \$9,573.96
- Devonport Agricultural & Pastoral Society Inc \$5,000.00
- Mersey Community Care Association Inc \$3,082.19
- 1st Spreyton Scouts. Scout Association of Australia \$1,105.14
- East Devonport Tennis Club \$1,153.95
- Scouts Australia Tasmanian Branch Mersey District \$3,472.67
- Devonport Girl Guides \$1,446.81

(*Subject to sourcing external funding to complete the project).

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

CARRIED UNANIMOUSLY

5.7 TECHNOLOGYONE SOFTWARE AS A SERVICE & ENTERPRISE LICENSING (D544647) 171/18 RESOLUTION

MOVED: Ald Jarman
SECONDED: Ald Emmerton

That Council by absolute majority in relation to the TechnologyOne SaaS and Enterprise Licensing Contract:

- a) acknowledge that in accordance with Section 27 of the *Local Government (General) Regulations 2015* that a formal tender process was not undertaken due to the unavailability of competitive or reliable tenderers; and
- b) note that the contract is for a 5-year term of \$227,199 per annum (a \$1,135,995 investment over the full term of the contract).

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

CARRIED UNANIMOUSLY

6.0 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D499010)

172/18 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Laycock

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

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

CARRIED UNANIMOUSLY

6.2 MAYOR'S REPORT (D498991)**173/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That the Mayor's report be received and noted.

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

CARRIED UNANIMOUSLY

6.3 GENERAL MANAGER'S REPORT - SEPTEMBER 2018 (D498973)**174/18 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Perry

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

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

CARRIED UNANIMOUSLY

6.4 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY - REPRESENTATIVES MEETING - 23 AUGUST 2018 (D543833)**175/18 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Milne

That the unconfirmed minutes of the Cradle Coast Authority Representatives meeting which was held on 23 August 2018 be received and noted.

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

CARRIED UNANIMOUSLY

6.5 QUARTERLY REPORT - LIVING CITY - SEPTEMBER 2018 (D544422)**176/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That Council receive the LIVING CITY Quarterly Update.

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

CARRIED UNANIMOUSLY

7.0 SECTION 23 COMMITTEES

7.1 PLANNING AUTHORITY COMMITTEE MEETING - 10 SEPTEMBER 2018 (D544981)

177/18 RESOLUTION

MOVED: Ald Perry

SECONDED: Ald Milne

That the minutes of the Planning Authority Committee meeting held on Monday, 10 September 2018 be received and the decisions determined be noted.

PAC 09/18 Planning Applications approved under Delegated Authority 1 August 2018 – 31 August 2018

PAC 10/18 PA2018.0124 Residential (Multiple Dwellings) – Assessment Against Performance Criteria for Rail Line Setback for Sensitive Use – 65 James Street Devonport

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

CARRIED UNANIMOUSLY

DELEGATED DECISIONS OF THE PLANNING AUTHORITY NOTED BY COUNCIL

PAC 09/18 Planning Applications approved under Delegated Authority 1 August 2018 – 31 August 2018

That the list of delegated approvals be received.

PAC 10/18 PA2018.0124 Residential (Multiple Dwellings) – Assessment Against Performance Criteria for Rail Line Setback for Sensitive Use – 65 James Street Devonport

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0124 and grant a Permit to use and develop land identified as 65 James Street, Devonport for the following purposes:

- Residential (multiple dwellings) - assessment against performance criteria for rail line setback for sensitive use

Subject to the following conditions:

1. Unless requiring modification by subsequent conditions of this permit, the use and development is to proceed generally in accordance with the submitted plans referenced as Proposed Unit Development at 65 James Street, Project

P18055, dated 29.06.18 by n + b, copies of which are attached and endorsed as documents forming part of this Planning Permit.

2. The developer is to obtain appropriate advice from a suitably qualified person to ensure noise and vibration measures are applied to all proposed units. All materials required, and relevant installation techniques are to be incorporated into the building construction specification to enable subsequent installation certification prior to occupancy.
3. The developer is to enter into a Part 5 Agreement under Section 71 of the *Land Use Planning and Approvals Act 1993* with Council to acknowledge:
 - a. the proximity of the TasRail line and the potential effects on amenity that may occur from vibration and noise; and
 - b. prohibition and access limitations into and onto the rail corridor including stormwater discharge (see note below).
4. The developer is to comply with the conditions contained 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*.
5. The developer is to take all reasonable steps during construction to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and does not allow for burning of any waste materials.
6. The developer is to construct the proposed driveway generally in accordance with Tasmanian Standard Drawing TSD-R09v1. The existing driveway is to be demolished and the new driveway constructed to suit the proposed development in accordance with this standard.
7. The developer is to provide an onsite stormwater detention system (OSD) to manage the stormwater discharge. This is to be adequately hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 100-year Average Recurrence Interval (ARI), and for a suitable range of storm durations to adequately identify peak discharge flows. As part of the design the hydraulic engineer is to limit discharge from the development site to that equivalent to only 50% of the existing lot being impervious. All design calculations are to be submitted as part of the building and plumbing permit application.
8. The developer is to provide a new 150mm dia stormwater service connection to the existing stormwater main in James Street, generally in accordance with the relevant Tasmanian Standard Drawings.

7.2 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 17 SEPTEMBER 2018 (D545078)

178/18 RESOLUTION

MOVED: Ald Jarman
 SECONDED: Ald Emmerton

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 17 September 2018 be received and the recommendations contained therein be adopted.

GFC 51/18 Annual Plan Progress Report – 1 July 2018 – 31 August 2018

GFC 52/18 Review of Devonport City Council Strategic Plan 2009-2030

GFC 53/18 Finance Report to 31 August 2018

GFC 54/18 Devonport Jazz 2018

GFC 55/18 Minutes of Council's Special Interest Groups and Advisory Boards

GFC 56/18 Unconfirmed Minutes – Shared Audit Panel – 13 August 2018

GFC 57/18 Elected Members' Expenditure Report July and August 2018

GFC 58/18 Community Services, Arts and Culture Report – July/August 2018

GFC 59/18 Governance & Finance Report

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

CARRIED UNANIMOUSLY

EFFECTIVE DECISIONS OF THE GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE CONFIRMED BY COUNCIL

GFC 51/18 Annual Plan Progress Report - 1 July 2018 - 31 August 2018

That the 2018/19 Annual Plan Progress Report for the period ended 31 August 2018 be received and noted.

GFC 52/18 Review of Devonport City Council Strategic Plan 2009-2030

That the report relating to the review of the Devonport City Council Strategic Plan 2009-2030 be received and Council approve the process for undertaking the review as outlined.

GFC 53/18 Finance Report to 31 August 2018

That the Finance Report for August 2018 be received and noted.

GFC 54/18 Devonport Jazz 2018

That the report relating to Devonport Jazz be received and that Council:

1. give in principle support for artist negotiations to commence with headline acts for the 2019 festival;
2. note the feedback received on the event was generally positive, and;
3. note that the 2018 event ran at a net cost of approximately \$36,000 (excluding staff costs).

- GFC 55/18 Minutes of Council's Special Interest Groups and Advisory boards**
That the minutes of the Devonport Regional Gallery Advisory Board and East Devonport Special Interest Group be received and noted.
- GFC 56/18 Unconfirmed Minutes - Shared Audit Panel - 13 August 2018**
That:
- (a) the unconfirmed minutes of the Audit Panel meeting held on 13 August 2018 be received and noted; and
 - (b) the composition of the Audit Panel remain unchanged insofar as it will maintain the status quo of two independent members, noting that an advertisement for the independent members will be undertaken following the completion of the 2018 Council elections.
- GFC 57/18 Elected Members' Expenditure Report July and August 2018**
That the report advising of Aldermen expenses be received and noted.
- GFC 58/18 Community Services, Arts and Culture Report - July/August 2018**
That the Community Services, Arts and Culture report be received and noted.
- GFC 59/18 Governance & Finance Report**
That the Governance and Finance report be received and noted.

8.0 CLOSED SESSION

179/18 RESOLUTION

MOVED: Ald Jarman
SECONDED: Ald Laycock

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 - 27 August 2018	15(2)(g)
8.2	Application for Leave of Absence	15(2)(i)
8.3	Food Pavilion Update	15(2)(b)
8.4	LIVING CITY Waterfront Detailed Design	15(2)(d)
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 17 September 2018	15(2)(f)

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

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 6:54pm to reconvene in Closed Session at 6:55pm.

The Council moved out Closed Session at 7:08pm.

Council resumed in open session at 7:08pm.

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 – 27 August 2018	Confirmed
8.2	Application for Leave of Absence	Nil
8.3	Food Pavilion Update	Update status noted.
8.4	LIVING CITY Waterfront Detailed Design	Agreed to appoint Lyons Architects to prepare the Waterfront Detailed Designs.
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 17 September 2018	Approved a request for a remission of rates.

CLOSURE

There being no further business on the agenda the closed session was declared closed at 7:08pm.

Confirmed

Chairman