

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS ON MONDAY,
23 JANUARY 2017 COMMENCING AT 5:30PM**

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:37pm	1 hour 7 minutes
Closed Session	6:38pm	6:39pm	1 minute
Total			1 hour 8 minutes

PRESENT: Ald S L Martin (Mayor)
Ald A L Rockliff (Deputy Mayor)
Ald C D Emmerton
Ald A J Jarman
Ald L M Laycock
Ald J F Matthews
Ald T M Milne
Ald L M Perry

Council Officers:

General Manager, P West
Executive Manager Corporate, Community and Business, S Crawford
Executive Manager Organisational Development, K Peebles
Governance Coordinator, K Hampton
Development Manager, Brian May

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 G F Goodwin	Apology
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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 - 19 DECEMBER 2016

01/17 RESOLUTION

MOVED: Ald Matthews
SECONDED: Ald Perry

That the minutes of the Council meeting held on 19 December 2016 as circulated be confirmed.

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

CARRIED UNANIMOUSLY

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

02/17 RESOLUTION

MOVED: Ald Rockliff
 SECONDED: Ald Laycock

That Council note the responses to questions from Mr Trevor Smith and Mr Doug Janney at the 19 December 2016 Council meeting.

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

CARRIED UNANIMOUSLY

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

03/17 RESOLUTION

MOVED: Ald Rockliff
 SECONDED: Ald Emmerton

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

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

CARRIED UNANIMOUSLY

3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

TREVOR SMITH – 7 GLEN COURT, DEVONPORT

Q1 In the Advocate paper, Saturday the 14th January, the Devonport Council published 2 notices of the upcoming meetings for 2017, which were identical! Why did this happen, is there some sort of competition between Mr Paul West and Mr Matthew Atkins going on? How much did this bungle cost the ratepayers of Devonport? Is this going to be a yearly occurrence? This doesn't look well, for the amount of money you are both being paid, by the ratepayers of Devonport!

Could I have answers to all of these questions please?

Response

The General Manager advised that it was an error by the Advocate, that the notice was printed twice. The Advocate were notified and Council is only paying for one advertisement.

- Q2** Could you please tell me how much revenue you are earning, from the Mobile Tower, on Council land on the corner of Percy and Nichols Street, Devonport?

With the NBN nodes appearing everywhere on the streets of Devonport, how much revenue is the Devonport Council earning from this venture? Is it a yearly amount? How much per node do you receive from the NBN Company?

- Q3** It was recently stated that the Julie Burgess had lost revenue, from its operations, of over \$410,000. This is a huge burden for the ratepayers to carry. The Council can't find the money to build footpaths in Surrey Street, yet you can afford to have these losses each year!

What action is being taken to stop the drain on the ratepayers of Devonport? Will the ratepayers have to bear the losses, until this service is sold off to private enterprise, if at all? How many years will this take to rectify? Will you notify the ratepayers of Devonport, what the losses will be each year if the Julie Burgess is not sold in the near future?

Could I have answers to all of these questions please?

Response

The Mayor responded that written responses would be provided to Mr Smith's questions.

MR MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Reference questions on notice for the 23/01/17 Council meeting and Council responses included in the current Agenda document dated 23/1/17. Thank you for your prompt response.

In response to my Q9, Council has advised that *"The Business Plan provided to Council by Group Work Pty Ltd and JAFFA in June 2011 indicated that during the first four years of operations the accumulated deficit for the activity would be \$431,200 (excluding depreciation expense). Since inception to 30 November 2016 the accumulated deficit for the activity has been \$424,092 (including depreciation)."*

- Q1** I was going to suggest that Council in general should perhaps question reports provided by consultants more vigorously but is Council stating that the losses to date are in line with the Business Plan provided to Council by Group Work Pty Ltd and JAFFA in June 2011?

In response to Council's statement that *"it is to be noted that Council most recently held a Workshop on the Julie Burgess on 3 October 2016 to discuss performance of the ketch and future operations, which is well before your questions were provided to Council."* It is pleasing that Council has undertaken a workshop specifically to review the Julie Burgess operations. Considering this was some six months following the annual budget session and is now approaching four months since the review it should be fair and reasonable that the following questions can be answered at this meeting and not required to be taken on notice.

- Q2** Noting that the revenue from operations flat lined from the 2015/2016 year to the current 2016/17 projected budget, what further initiatives/actions were identified during the workshop, held 3 October 2016, to reduce expenses and increase operational revenue?

- Q3** Which initiatives have been actioned and what has been the success of those initiatives noting the formulation of the 2017/18 Annual Plan and Budget will commence in a few months' time?
- Q4** Based on the figures provided by Council the costs to Devonport ratepayers in restoration overruns and operating losses is nearing \$900,000 (including depreciation) for a project that was not going to be ratepayer funded, therefore what are the benefits that have been provided in terms of jobs and economic impact from this investment?
- Q5** What are the projections for the next 5 years and is the venture viable on this basis?

Please provide responses in writing and ensure inclusion in full in the next Ordinary Meeting Agenda.

Response

- Q1** The General Manager advised that the response to question 9 should also take into consideration the other questions also responded to. Considering the comments made in Mr Gardam's questions on notice, although there has been a change in the operating model the actual loss has been similar to what was actually projected. It is not trying to draw any sort of particular conclusion, but it is certainly worth being highlighted and that was why it was included in the response.
- Q2** The process is that Council has been working very closely with the volunteers who are heavily involved in the operation of the Julie Burgess, through the Bass Strait Maritime Centre, to identify opportunities to improve the bottom line - that review has been ongoing. There have been a number of workshops that have been held with the volunteers and that's all part of where Council is heading with the next stage of the review. You will note, and I think that you have previously referred to the Wooden Boat Festival, as an example those types of opportunities are being considered as to how Council can value add and improve the outcomes for the Julie Burgess.
- Q3** At this stage Council hasn't workshopped some of it but will be doing so in the new year. Therefore it would be premature to actually outline what some of those things may be, but obviously it is a holistic review of the operations of the Julie Burgess Council is intending to undertake.
- Q4** The Mayor advised that the questions would be taken on notice and a response provided in writing.
- Q5** The Mayor advised that the questions would be taken on notice and a response provided in writing.

DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT

2 of the following questions have been raised before in my letter of 14th April 2016 title **Budget Considerations**. It is time that the questions again are raised for the matters to be addressed in the near future.

With what is ahead with the LIVING CITY Development what has the Council got in place to get:-

- Q1** There are already speed humps at the Northern end of William Street so why not 40km/h speed limits in the shopping strips?
- Q2** New and improved software in the traffic lights?

Q3 Improved markings on the roads at traffic lights with direction arrows in the lanes?

Response

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

Question

I notice that page 85 of tonight's agenda, Out of Closed Session. The outcomes – noted. I would have thought you can't have an outcome until you have had the meeting. It is a bit peculiar.

Response

The General Manager responded that is actually the recommendation and particularly in relation to tonight's agenda both the items are minutes of external bodies that are being dealt with in Closed Session and basically it is a recommendation to Council that as a result of Closed Session they be noted. If Council chooses to do something different they can amend that particular recommendation.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

My questions are about Providore Place Devonport Pty Ltd.

Q1 Do you Mayor and Aldermen know what the paid up capital is of Providore Place Devonport Pty Ltd, as registered with ASIC?

Response

The Mayor advised that honestly he is not privy to that information. So therefore "no".

Ald Emmerton advised that he didn't know that answer exactly but imagined that it would be a very low share capital which most companies of that nature have, all his companies have very low share capital start-ups and that does not mean that they are a weak company in any sense.

Q2 In relation to Harris Scarfe. As of this date is Council aware of the intentions of Harris Scarfe remaining in Devonport?

Response

The Mayor responded that in conversations Council has been having with Harris Scarfe "yes" it is their intention to remain in Devonport.

Q3 Will you now inform ratepayers if you know what Harris Scarfe's intentions are in regard to their future in Devonport?

Response

The Mayor responded that it has been part of the discussion all the way along the line publicly that Council has been working with Harris Scarfe in regards to remaining in Devonport.

The Mayor then advised - just before we move on, this is in response to questions in regards to LIVING CITY Stage 1. I can confirm that Council is fully committed to the project as is evidenced by the contracted commencement of Stage 1. LIVING CITY has involved years of extensive community consultation, independent Consultants; Hill PDA, Projects & Infrastructure Group (P&i), KPMG, Page Seager, Renaissance Planning, Solicitors, National firms:- Lyons Architects, Fairbrother. The Federal Government National Stronger Region Funding process, which Council had hundreds of pages in the application which had to satisfy Federal Government agencies and officers and was successful. State Government funding process which also had to satisfy State Government agencies and officers. Council also had to satisfy the ANZ

Bank, in funding Stage 1 and of course we have the ear and assistance of Council's professional staff and has been fully supported by the Aldermen.

Stage 1 is contractually, fully committed to and Council is comfortable and satisfied with its position. So the proof of the pudding, will be in the eating. When LIVING CITY Stage 1 is built and the jobs that we have predicted come to fruition it will be years on from today. So it might be two, three or four years. I am conveying to you that Council is comfortable and satisfied with its due diligence and with its position on Stage 1.

3.3 QUESTIONS FROM ALDERMEN

Nil

3.4 NOTICES OF MOTION

3.4.1 PROVISION OF AMBULANT TOILETS IN PUBLIC AMENITIES IN DEVONPORT - ALD T M MILNE - NOTICE OF MOTION (D450700)

04/17 RESOLUTION

MOVED: Ald Milne
SECONDED: Ald Emmerton

That Council undertake an investigation of providing ambulant toilet facilities in each location where the Devonport City Council has responsibility for public toilets and then proceed with a costing and add this to the future works program. These toilets will be additional to the already in situ disabled toilets.

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

CARRIED UNANIMOUSLY

3.4.2 POSSIBLE RELOCATION OF AMBULANCE AND FIRE BRIGADE SERVICES IN DEVONPORT - NOTICE OF MOTION - ALD A J JARMAN (D454788)

05/17 RESOLUTION

MOVED: Ald Jarman
SECONDED: Ald Laycock

That Council write to the State Government and ask that they consider relocating the current emergency services of both Ambulance and Fire Brigade in Devonport to a more appropriate location nearer to the highway.

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

CARRIED UNANIMOUSLY

3.4.3 MERSEY COMMUNITY HOSPITAL - FUTURE FUNDING - NOTICE OF MOTION - ALD S L MARTIN (D456693)

Deputy Mayor Rockliff assumed the Chair at 6:04pm for debate on this item.

06/17 RESOLUTION

MOVED: Ald Martin
SECONDED: Ald Milne

That Council authorise the Mayor, if he deems it necessary, to travel to Canberra to meet with and lobby the new Federal Minister for Health regarding the future funding arrangements for the Mersey Community Hospital.

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

CARRIED UNANIMOUSLY

MOVED: Ald Matthews
SECONDED: Ald Jarman

That Devonport City Council contact the Federal Minister for Health, the Hon Greg Hunt requesting the provision of immediate funding to ensure the continued operation of the Mersey Community Hospital at Latrobe at current operational levels and also, invite the Minister to Devonport as soon as possible for further discussions with local community leaders regarding the permanency of funding and future status of the Mersey Community Hospital.

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

LOST

Mayor Martin resumed the Chair at 6:26pm.

4.0 PLANNING AUTHORITY MATTERS

There were no items to consider as a Planning Authority.

5.0 REPORTS

5.1 RESERVES, PARKS AND GARDENS BY-LAW (D452605)

07/17 RESOLUTION

MOVED: Ald Perry
SECONDED: Ald Jarman

Council authorise the affixing of its Common Seal to the Reserves Parks and Gardens By-Law No. 1 of 2017 and its subsequent certification by the General Manager and a legal practitioner.

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

CARRIED UNANIMOUSLY

5.2 COMMUNITY IMMUNISATION PROGRAM (D456011)**08/17 RESOLUTION**

MOVED: Ald Emmerton

SECONDED: Ald Rockliff

That Council discontinue the Community Immunisation Program with immediate effect and issue a Media Release advising the community of that decision.

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

CARRIED UNANIMOUSLY

5.3 FINANCE REPORT FOR DECEMBER 2016 (D456363)**09/17 RESOLUTION**

MOVED: Ald Rockliff

SECONDED: Ald Emmerton

That Council receive and note the Finance Report for December 2016.

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

CARRIED UNANIMOUSLY

6.0 INFORMATION**6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D456665)**

There were no Workshops or Briefing Sessions held since the last Council meeting.

6.2 MAYOR'S MONTHLY REPORT (D454198)**10/17 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Rockliff

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

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

CARRIED UNANIMOUSLY

7.0 SECTION 23 COMMITTEES

Nil

8.0 CLOSED SESSION**11/17 RESOLUTION**

MOVED: Ald Jarman

SECONDED: Ald Milne

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	Application for Leave of Absence	5(2)(h)
8.2	Unconfirmed Minutes – Joint Authorities	15(2)(g)

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

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 6:37pm to reconvene in Closed Session at 6:38pm.

The Council moved out Closed Session at 6:39pm.

Council resumed in open session at 6:39pm

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	Application for Leave of Absence	Noted
8.2	Unconfirmed Minutes - Joint Authorities	Noted

CLOSURE

There being no further business on the agenda the closed session was declared closed at 6:39pm.

Confirmed

Chairman