

MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS ON MONDAY, 18 DECEMBER 2017 COMMENCING AT 5:30PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	7:00pm	1 hour 30 minutes
Closed Session	7:00pm	7:13pm	13 minutes
Total			1 hour 43 minutes

PRESENT: Ald S L Martin (Mayor)
 Ald A L Rockliff (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
 Ald L M Perry

Council Officers:

General Manager, P West
 Deputy General Manager, M Atkins
 Executive Manager Organisational Development, K Peebles
 Governance Coordinator, K Hampton
 Media & Communication Officer, J Phillips

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

The following Declarations of Interest were advised:

Ald Perry	3.4.1	Lobby For Legislation – Poker Machines
Ald Laycock	3.4.1	Lobby For Legislation – Poker Machines
Ald Laycock	8.4 (Part)	Citizen Award – Australia 2018
Ald Milne	8.4 (Part)	Citizen Award – Australia 2018

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 27 NOVEMBER 2017

240/17 RESOLUTION

MOVED: Ald Perry
 SECONDED: Ald Laycock

That the minutes of the Council meeting held on 27 November 2017 as circulated be confirmed.

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

CARRIED UNANIMOUSLY

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

241/17 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Matthews

That the responses to questions from Mr Malcolm Gardam, Mr Doug Janney and Mr Trevor Smith at the 27 November 2017 Council meeting be noted.

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

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 When will the remaining manhole covers around Devonport be raised up to an acceptable Australian Standard? You have already made a start with this issue! So can the Ratepayers of Devonport expect this project to be completed, say in 8 months' time, or will it be put in the too hard basket to save money! No weasel words for your reply please!

Q2 With the recent kerb and channelling roadworks in Ronald Street between Parker and Madden Streets Devonport, what have these works cost the Ratepayers of Devonport? Have these works been completed to a satisfactory standard? No weasel words please for your reply!

Response

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

MALCOLM GARDAM – 4 BEAUMONT DRIVE MIANDETT

Q1 Council has repeatedly refused to disclose what it self-determines to be contractual matters relating to the food pavilion head lease arrangement with Providore Place (Devonport) Pty Ltd and cites that the operational matters pertaining to tenancies resides with Providore Place; accordingly will you please

clarify the following as it relates to management of the promoted markets (Providore Market):

- a. Is the procurement of stallholders the responsibility of the head leasee and therefore funded by Providore Place; or
- b. Is it funded by ratepayers (council) either directly or indirectly and Providore Place's involvement is a deduction on the lease payments or otherwise reimbursable as a management cost to council?

Response

The General Manager responded that the procurement of the stallholders is the responsibility of Providore Place Pty Ltd.

Q2 Assuming the current radio advertising relating to the Devonport Council website and encouraging shoppers to the existing CBD is directly or indirectly ratepayer funded will you please clarify the following:

- a. Why has Council determined to promote existing CBD businesses this year and what is the cost either directly or indirectly; and
- b. Has council funded either directly or indirectly a similar promotion in the last five (5) years?

Response

The General Manager advised that point 2a would be taken on notice. In response to 2b, Council has undertaken regular advertising in the past in regard to parking in the lead up to Christmas and particularly around the CBD area.

BOB VELLACOTT – 11 COCKER PLACE DEVONPORT

Now that it has been confirmed that Ben Milbourne, Southern Wild Distillery and possibly another business will commence trading in Providore Place early 2018 and that the fitting out of specialised equipment will soon take place. I would appreciate if I and other ratepayers can be made aware of the following:

Q1 The estimated cost that ratepayers will be responsible for to subsidize the specialised kitchen and or other equipment for:

- a. The Ben Milbourne cooking school and restaurant? = \$
 - b. Southern Wild Distillery? = \$
 - c. The other business if know? = \$
- and
- d. Have all Aldermen been made aware of the above?

Q2 Seeing that Providore Place has now taken possession of the food pavilion will Council confirm that rent and rates are now being paid?

Response

The Mayor advised that the questions will be taken on notice and a response provided.

TONY BUTLER – 2 DREW STREET EAST DEVONPORT

Valley Road in Devonport, I travel it every day, school crossings are marked up on the side of the road but there is nothing across the road. On Tuesday I parked the car and watched the people cross the road, there were 27 and they crossed in 27 different places. It got the better of me so I asked a couple and they told me to shut my mouth as they will cross where they want to. What is going to happen when it does happen? All there is when you drive up there, I always thought it was sign marked - it is marked in two places but it just says crossing.

Response

The Mayor advised that Council will undertake some research and then provide a written response.

MALCOLM GARDAM – 4 BEAUMONT DRIVE MIANDETTA

- Q3** As previously reported by council the Julie Burgess is currently on the slip receiving what was described as “future proofing” and accordingly will you please provide an update as to the following:
- a. Why is it that what appears to have been a significant removal of existing planks below waterline, particularly in the bow region on both sides, with an alarming number being replaced when this is the second major plank replacement following the initial and substantial refurbishment; and
 - b. Noting that the front mast has been replaced can you confirm that the rear mast has not been identified for replacement or extensive maintenance in the next 3-4 years as well; and
 - c. Was a maritime survey taken on the then condition of the vessel before purchase; and
 - d. Are the costs to the current major repairs now known and if so what are they; and
 - e. Prior to further expenditure on repairs, such as the main shaft, second mast and more planks, has any consideration been given to making the vessel a static display at the Maritime Museum or elsewhere?

Response

The Mayor advised that the questions will be taken on notice and a written response provided.

BOB VELLACOTT – 11 COCKER PLACE DEVONPORT

- Q3** As of this date – What is the situation regarding the proposed café to be situated within The Paranaple Centre in regard to the overall management and whether or not a contract to lease has been signed?

Response

The General Manager advised that final discussions are currently taking place with an operator for the café and an announcement will be made in due course.

3.3 QUESTIONS FROM ALDERMEN

Nil

3.4 NOTICES OF MOTION

Ald Perry and Ald Laycock declared an interest in the next item and left the meeting at 5.44pm.

3.4.1 LOBBY FOR LEGISLATION - POKER MACHINES - NOTICE OF MOTION - ALD T M MILNE (D502123)

RESOLUTION

MOVED: Ald Milne
SECONDED: Ald Emmerton

“That the Devonport City Council lobby the Liberal Government and the Labor Opposition by forwarding the information contained in this preamble and

motion to the Premier and Opposition Leader to ask them to legislate to hand control over numbers and placement of poker machines in the Devonport City Local Government area to the Devonport City Council. It is this local community most affected by the negative impacts of poker machines and it should be the leaders of this Local Government area who determine the number and placement of these addictive machines in our community.

That a copy of this motion be forwarded to the leaders of other parties, including the Tasmanian Greens, who will be contesting the next State election."

PROCEDURAL MOTION

242/17 Motion

MOVED: Ald Goodwin

SECONDED: Ald Matthews

The matter lay on the table and be taken to a future workshop.

That the matter be put to the vote.

	For	Against		For	Against
Ald Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne		✓
Ald Goodwin	✓		Ald Rockliff		✓
Ald Jarman	✓				

CARRIED

Ald Perry and Ald Laycock returned to the meeting at 6.02pm

3.4.2 ADVENTURE 'NATURE-BASED' PLAYGROUND - NOTICE OF MOTION - ALD A L ROCKLIFF (D504424)

243/17 RESOLUTION

MOVED: Ald Rockliff

SECONDED: Ald Milne

"That Council seek opportunities to include aspects of a 'nature-based' playground into the concepts being developed for the Devonport Waterfront precinct."

PROCEDURAL MOTION

MOVED: Ald Laycock

That the matter be deferred pending discussion at a future Workshop.

The Mayor determined not to accept the procedural motion as he believed that other Aldermen should be given the opportunity to discuss the matter first.

The motion:

"That Council seek opportunities to include aspects of a 'nature-based' playground into the concepts being developed for the Devonport Waterfront precinct."

Was put

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

CARRIED UNANIMOUSLY

4.0 PLANNING AUTHORITY MATTERS

There were no items to consider as a Planning Authority.

5.0 REPORTS

5.1 BUSHFIRE MANAGEMENT PLANS - DON RESERVE AND KELCEY TIER GREENBELT (D474248)

244/17 RESOLUTION

MOVED: Ald Goodwin
SECONDED: Ald Jarman

That the report of the Executive Officer Community Services relating to the Don Reserve and Kelcey Tier Greenbelt Bushfire Management Plans be received and noted and Council adopt both plans.

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

CARRIED UNANIMOUSLY

5.2 CRADLE COAST SHARED SERVICES REPORT - FINAL (D498951)

245/17 RESOLUTION

MOVED: Ald Rockliff
SECONDED: Ald Milne

That Council in relation to the Cradle Coast Shared Services Report:

1. receive and note the report as attached;
2. accept that although there are significant unknowns including issues with the veracity of the data and assumptions made relating to both services/financial comparisons, that it would be in the Council's and community's best interest to agree that further work is undertaken in an attempt to see a broader level of Shared Services implemented at a regional, sub-regional and individual council level; and
3. commit to working cooperatively with other councils in the region to actively pursue opportunities to progress resource sharing options, which may include the commitment of both financial and staff resources.

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

CARRIED

5.3 MULTI-PURPOSE BUILDING - FURNITURE PROCUREMENT (D501139)

246/17 RESOLUTION

MOVED: Ald Matthews

SECONDED: Ald Goodwin

That Council receive the report regarding the furniture supply tender for the LIVING CITY multi-purpose building and award the following packages for the supply of specified furniture:

1. UCI Tasmania, selected items to the value of \$172,318 (ex GST);
2. Bentley House, selected items to the value of \$66,458 (ex GST); and
3. K Five, selected items to the value of \$549,138 (ex GST).

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

CARRIED UNANIMOUSLY

5.4 LOCAL GOVERNMENT ACT AMENDMENT (TARGETED REVIEW) ACT 2017 (D503893)

247/17 RESOLUTION

MOVED: Ald Rockliff

SECONDED: Ald Goodwin

That the report of the General Manager outlining the changes to the *Local Government Act 1993* as a result of the Targeted Review be received and noted.

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

CARRIED UNANIMOUSLY

5.5 MERSEY BLUFF PRECINCT (D504218)**248/17 RESOLUTION**

MOVED: Ald Perry
 SECONDED: Ald Rockliff

That the report relating to the Mersey Bluff Precinct be received and noted and Council:

- (a) determine not to proceed with a "Mersey Bluff Precinct Plan" as previously identified; and
- (b) instead seek to engage a consultant to undertake a Traffic Impact Assessment for the broader Mersey Bluff precinct and if necessary, update the existing Urban Design Framework Plan.

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

CARRIED UNANIMOUSLY

5.6 CRADLE COAST AUTHORITY - SHARED USE REQUEST FROM BURNIE CITY COUNCIL (D504668)**249/17 RESOLUTION**

MOVED: Ald Goodwin
 SECONDED: Ald Perry

That Council advise the Cradle Coast Authority that it does not see a current need for the services of a beach sifter and therefore does not wish to be involved in discussions regarding the proposal to purchase one for shared use.

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

CARRIED

6.0 INFORMATION**6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D454197)****250/17 RESOLUTION**

MOVED: Ald Laycock
 SECONDED: Ald Matthews

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 Martin	✓		Ald Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Jarman	✓		Ald Rockliff	✓	
Ald Laycock	✓				

CARRIED UNANIMOUSLY

6.2 MAYOR'S MONTHLY REPORT (D454209)**251/17 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Milne

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

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

CARRIED UNANIMOUSLY

6.3 GENERAL MANAGER'S REPORT - DECEMBER 2017 (D462057)**252/17 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Rockliff

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

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

CARRIED UNANIMOUSLY

6.4 LIVING CITY QUARTERLY UPDATE - DECEMBER 2017 (D504416)**253/17 RESOLUTION**

MOVED: Ald Perry

SECONDED: Ald Emmerton

That Council receive the LIVING CITY Quarterly Update.

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

CARRIED UNANIMOUSLY

6.5 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY - ANNUAL GENERAL MEETING AND REPRESENTATIVES MEETING MINUTES - 23 NOVEMBER 2017 (D505542)

254/17 RESOLUTION

MOVED: Ald Rockliff
SECONDED: Ald Milne

That the unconfirmed minutes of the Cradle Coast Authority Annual General Meeting and Representatives meeting which were held on 23 November 2017 be received and noted.

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

CARRIED UNANIMOUSLY

6.6 UNCONFIRMED MINUTES - SHARED AUDIT PANEL - 20 NOVEMBER 2017 (D502628)

255/17 RESOLUTION

MOVED: Ald Matthews
SECONDED: Ald Emmerton

That the unconfirmed minutes of the Audit Panel meeting held on 20 November 2017 be received and noted

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

CARRIED UNANIMOUSLY

7.0 SECTION 23 COMMITTEES

7.1 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 11 DECEMBER 2017 (D505314)

256/17 RESOLUTION

MOVED: Ald Laycock
SECONDED: Ald Perry

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 11 December 2017 be received and the recommendations contained therein be adopted.

- IWC 44/17 Pedestrian Strategy 2016-2021 - Year One Status Update
- IWC 45/17 Asset Management Strategy - Year 3 Status Update
- IWC 46/17 Payne Avenue Toilet Block Renewal
- IWC 47/17 Street Design Guidelines
- IWC 48/17 Draft Waste Strategy 2018-2023

IWC 49/17 Infrastructure and Works Report

IWC 50/17 Development and Health Services Report

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

CARRIED UNANIMOUSLY

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

IWC 44/17 Pedestrian Strategy 2016-2021 - Year One Status Update

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

IWC 45/17 Asset Management Strategy - Year 3 Status Update

That the report of the Technical Support Supervisor be received and Council note the status of actions listed in the Asset Management Strategy.

IWC 46/17 Payne Avenue Toilet Block Renewal

That the report of the Infrastructure & Works Manager regarding the Payne Avenue toilet block be received and that Council:

- a) reallocate the 2017/18 capital expenditure budget for the Payne Avenue toilet block renewal to East Devonport foreshore toilet block renewal, and
- b) consider the Payne Avenue toilet block renewal once the future of the Devonport Regional Gallery site is determined.

IWC 47/17 Street Design Guidelines

That the report of the Infrastructure & Works Manager regarding the Street Design Guidelines be noted and that Council adopt the street hierarchy and attached design pallets as the basis for the Street Design Guidelines.

IWC 48/17 Draft Waste Strategy 2018-2023

That the report relating to the draft Waste Strategy 2018-2023 be received and noted and the release of the Strategy for a 30 day public consultation period be endorsed.

IWC 49/17 Infrastructure and Works Report

That the Infrastructure and Works report be received and noted.

IWC 50/17 Development and Health Services Report

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

8.0 CLOSED SESSION**257/17 RESOLUTION**

MOVED: Ald Rockliff
 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	Application for Leave of Absence	15(2)(h)
8.2	Unconfirmed Minutes – Joint Authorities	15(2)(g)
8.3	Fenton Villas	15(2)(c),(f)
8.4	Citizen Awards – Australia Day 2018	15(2)(g)

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

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 7:00pm to reconvene in Closed Session at 7:00pm.

The Council moved out Closed Session at 7:13pm.

Council resumed in open session at 7:13pm.

CLOSURE

There being no further business on the agenda the closed session was declared closed at 7:13pm

Confirmed

Chairman