

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS  
ON MONDAY, 27 MARCH 2017 COMMENCING AT 5:30PM**

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	6:20pm	50 mins
Closed Session	6:21pm	6:25pm	04 mins
Total			54 mins

**PRESENT:** Ald S L Martin (Mayor)  
Ald A L Rockliff (Deputy Mayor)  
Ald C D Emmerton  
Ald G F Goodwin (arrived 5:32pm)  
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 Corporate, Community and Business, S Crawford  
Executive Manager Organisational Development, K Peebles  
Governance Coordinator, K Hampton

**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 Jarman	5.1	Financial Assistance – Round Two 2016/17

Ald Goodwin attended the meeting at 5:32pm

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 27 FEBRUARY 2017**

**32/17 RESOLUTION**

MOVED: Ald Perry  
SECONDED: Ald Rockliff

That the minutes of the Council meeting held on 27 February 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

##### 33/17 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That Council note the responses to questions from Mr Trevor Smith and Mr Malcolm Gardam at the February 2017 Council meeting.

	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

##### 34/17 RESOLUTION

MOVED: Ald Matthews

SECONDED: Ald Milne

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

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

CARRIED UNANIMOUSLY

#### 3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

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

The recently reconstructed Steele St road between Forbes St and Fenton Sts has 7 manhole covers and the depression of the manholes' surface below the surrounding road surface is unacceptable. The 2 western most covers were measured at a depression of 23mm and 15mm. This suggests that the Contractor has done an unacceptable job and the Council has not adequately supervised the construction works.

**Q1.** What and when is the Council going to do to get the inadequate road surface levels at the manholes' covers rectified?

**Response**

The Deputy General Manager responded that project hasn't reached practical completion yet. The issues will be taken on notice and they will be considered when the project is signed off.

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

**Q1.** Could you please provide me with the income details of the General Manager, of the Devonport City Council, for the year 2017, plus allowances?

**Response**

The General Manager responded that the information is available in the Council's annual report each year which is a requirement of the *Local Government's Act*.

**Q2.** How much did the Council outlay, to take over the lease, for parking at Woolworths and Coles carparks, at Best Street Devonport?

**Q3.** How much income do you expect to receive from this venture, in the next 12 months?

**Q4.** With the Council taking over this lease, is this part of your Parking Solution for the LIVING CITY?

**Response**

The Mayor advised the question will be taken on notice.

**Q5.** Could you please provide me with the income details of the Assistant General Manager, of the Devonport City Council, for the year 2017, plus allowances?

**Response**

The Mayor advised that the information is also available in the Annual Report.

**Q6** About 12 months ago, I asked you to place in the Council Rates Notice, the Council Agenda Meeting dates for the next 12 months. When the rates notice came out last year, the dates weren't there. You came up with a fobbed off story, as to why you didn't place the dates in the notice! Will you give me a guaranteed assurance that the dates will be in the 2017-2018 Rates Notice. You have plenty of time to let the printer know of the changes! I hope this council is not using as a stalling tactic.

**Q7** Could you please provide me with the income details of the Mayor, of the Devonport City Council, for the year 2017, plus allowances?

**Response**

The Mayor advised that the information is also available in the Annual Report.

**WINSTON FAWDRY – 6 WINSPEAR PLACE, EAST DEVONPORT**

My request to Council is in relation to the Caroline St Reservoir Reserve.

I request Council consider purchasing and re-establishing this area as a reserve. It could be adhered to the existing council land on the north side. The existing block is small with very limited access.

The proposed property was offered for sale on Friday, 24 March for \$275,000 or offers over this price.

History of the Reserve.

In 1969 Council was using this area as a material store for gravel, sand, rocks and assorted pipes.

I cleared, mowed and watered the southern section. In consultation with Council it was in 1973 agreed to develop the area with grass, trees and tables.

Neighbours have mowed and assisted with maintenance as required for 48 years.

The reserve was used by school for surveys, for many years and by families to play cricket, picnic, over-night campers and football.

I request Council consider this purchase in the budget.

I have included some photos and a survey plan that may assist with deliberations.

### **Response**

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

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

#### **ITEM 1**

I refer to *The Advocate* article "Mayor strong on city renewal" Monday 13<sup>th</sup> March 2017.

**Q1.** The Mayor is quoted as saying that "*I've been to Melbourne and spoken with Big W and saw the report where their data identified Devonport as the place to set-up in the region.*"; accordingly, will the Mayor please advise ratepayers as to the following:

- a. the date (month and year will suffice) that this viewing actually occurred; and
- b. whether the report sighted actually stated a firm desire to establish in Devonport (perhaps subject to market demand) or just "*identified Devonport as the place to set-up in the region.*"

### **Response**

The Mayor advised the year and date to be taken on notice and advised in writing.

**Q2.** The Mayor is also recorded as saying "*Alderman Martin said on-line retail had levelled at 6% to 7% of retail sales.*"

For the benefit of ratepayers and nervous retailers will the Mayor please:

- a. advise as to the source of his information; and
- b. whether he is confident of its accuracy.

### **Response**

The Mayor advised the source of documentation which includes numerous documents and discussions over a period of time and numerous publications and didn't give an actual source. I do believe on-line retail has tapered and levelled off but that is my opinion.

Further to the Mayor's response to my previous Q2. Questions without Notice, dated 27/03/17, I submit the following on-line information for the benefit of the Aldermen and ratepayers.

- 1) The latest Research conducted for and released by Australia Post stated that in the six month period January – June 2016 on line shopping continued its impressive growth with Australians making 15.9% more on – line purchases. (Tasmania recorded 15% more purchases)
- 2) World leading internet statistics portal Statistica has released information on retail e-commerce sales in AUSTRALIA from 2015-2021. In 2016 e-retail sales

were \$US 9.5 billion and are forecast to grow to \$US 10.5 billion in 2017 representing an increase of 10.5% year on year.

- 3) In August 2016 e.marketer release a Retail e-commerce Sales Worldwide, 2015-2020 report which projects an almost doubling of on-line sales from 7.4% (2015) to 14.6% (2020)
- 4) As recently as two weeks ago the Myer chief executive, Richard Umbers, stated that "Myer's online revenue grew 48 percent during the six months to January 28<sup>th</sup> 2017.
- 5) In an article published in the March 2017 edition of Inside Retail successful Australian e-commerce retail entrepreneur Adam Hudson stated, "The correlation between household debt and retail spending was apparent in the December retail figures as well, with NSW and VIC, the most expensive places to live, being the worst performers for retailers for the period.  
  
"When consumers have less to spend, they naturally seek out the lowest prices possible, something the bloated brick and mortar retailer simply cannot compete on.  
  
"Compound that with people's increasing familiarity with shopping online and their lack of time, and you are looking at the perfect storm for traditional retail".
- 6) At the November 2016 Woolworths AGM Chairman Gordon Cairns ruled out selling the loss making Big W stating "Because we would get nothing for it" as his reason.

**Q2A.** Does the Mayor consider he is uninformed, misinformed or deliberately misleading ratepayers with his Advocate statement that "....On-line retail had levelled at 6% to 7% of retail sales."?

**Response**

Mayor responded that it was his opinion from reading a number of different publications and that he had not mislead the public as numbers constantly fluctuate.

**ITEM 2**

Understanding is that the engagement of the appointed Living City Development Manager (Projects + Infrastructure (P+i)) did not result from a formal public or selected requests for Expressions of Interest (EOI) process.

- Q3.** Can Council please elaborate on the process of engagement and specifically;
- a. did P+i first approach Council or did Council approach P+i?
  - b. who recommended P+i?
  - c. what background checks of previous P+i projects/clients were assessed and considered?
  - d. what benchmarks were used to establish remuneration?
  - e. are all briefings and meeting between Council and P+i formally recorded?

**Response**

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

**ITEM 3**

- Q4.** A paid article titled "Breathing life into city" relating to Living City has been included on Page 23 of the Examiner's 175<sup>th</sup> Anniversary Edition, dated 29/03/17, and identified as containing sponsored content, accordingly, can

Council advise as to the total cost, and who the sponsoring contributors were and their financial contributions if any?

**Response**

The Mayor advised the question will be taken on notice and a written response provided

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

Mayor and Alderman. I refer to this evening's Agenda page 52 heading: WATERFRONT CONCEPT PLANS (Approx halfway down the page) and the RECOMMENDATION on page 52 about Horwath HTL advice to assist Council in negotiations with potential hotel developers.

For your edification Mayor and Aldermen I have been informed by the Deputy General Manager that the correct title of this report is:

**The Concept Development with trading projections related to a prosed hotel part of Living City Project report.**

I note (ref page 52) that is is recommended that report be kept as another confidential document, and is only to be for the eyes of potential hotel developers and Aldermen. However the recommendation that you will be voting on ref. page 55 does not mention the Aldermen being able to have access to it.

I can only assume by the secrecy that the document is in effect an audacious and blatant attempt to encourage developers to go into direct competition with existing Devonport and surrounds hotels, motels, and other accommodation providers.

Incidentally Mayor and Aldermen the report as I understand was prepared originally without your knowledge using the money/rates paid by those who will if you vote in favour of the recommendation, be most likely be put out of business.

Also I understand a significant ratepayer who will be directly and adversely affected asked for a copy of this document and the request was ignored.

My questions Mayor and Aldermen are:

- Q1.** On what basis are you recommending this report/document remains commercial in confidence and can only be made available to pre qualified potential hotel operators?
- Q2.** Do you realise that you will be voting for the release of a document to a selected few that, as I understand, Aldermen do not know of the actual content?
- Q3.** Who was the author of the RECOMMENDATION ITEM 5.4: page 55?
- Q4.** Who commissioned the document?
- Q5.** Mayor and Aldermen when were you first made aware of the trading projections document?

Please include all of the above and Council's responses in the minutes and in the April 2017 meeting agenda.

**Response**

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

- Q6.** Will the Living City's new (approx) 31.5million multi-purpose building comply with the Green Building Councils Australian Standards criteria to qualify as an accredited Green Building?

**Response**

The Deputy General Manager advised that the building won't have full green certification but a number of green initiatives have been implemented. The architects have taken a practical approach and applied measures that are worthy, but not to the extent of full certification.

**Q7.** To clarify, was not a brief given to the architect to say that we were expecting a building such as this to qualify with the Australian Standards and receive that certificate.

**Response**

The Deputy General Manager advised that the building complies with all Australian Standards. Council looked at the green star certification and cost vs benefits and concluded that it wasn't worth the additional outlay to achieve that accreditation. Environmental initiatives were factored in where they were cost effective.

**3.3 QUESTIONS FROM ALDERMEN**

Nil

**3.4 NOTICES OF MOTION**

Nil

**4.0 PLANNING AUTHORITY MATTERS**

There were no items to consider as a Planning Authority.

**5.0 REPORTS**

Ald Jarman having declared an interest in the following matter left the meeting at 5:51pm.

**5.1 FINANCIAL ASSISTANCE - ROUND TWO 2016/2017 (D456567)**

**35/17 RESOLUTION**

MOVED: Ald Laycock  
SECONDED: Ald Matthews

That the report regarding Financial Assistance Round Two be received and noted, and Council;

a. approve Major Grants, Minor Grants, through the 2016/2017 Community Financial Assistance budget allocations as follows:

Major Grants

- GTR Events \$12,500
- Devonport Eisteddfod 2017 \$10,000
- Kentish Arts Commerce & Tourism Inc \$5,000

Minor Grants

- Cradle Coast Mountain Bike Club \$3,000
- Devonport Junior Soccer Association Inc \$3,000
- Parkrun \$1,000
- Devonport Eisteddfod \$1,000
- Story Dogs \$2,000
- The Leukaemia Foundation of Australia \$306
- Devonport Tennis Club \$1,594.46

- Sing Australia Devonport \$600
  - Rotary Club of Devonport \$650
  - Parkrun Inc \$2,200 (Subject to conditions), and
- b. note the funding for the Cradle Coast Mountain Bike Club, Parkrun, Devonport Eisteddfod and Devonport Tennis Club are subject to further discussions.

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

CARRIED UNANIMOUSLY

Ald Jarman returned to the meeting at 5:53pm.

## 5.2 SHARED AUDIT PANEL - ANNUAL REPORT AND MINUTES OF MEETINGS (D460596)

### 36/17 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That Council:

1. receive and note the Annual Report for Central Coast Council and Devonport City Council Shared Audit Panel and the Devonport City Council Audit Panel
2. receive the unconfirmed minutes of the Audit Panel meeting held on 20 March 2017;
3. note the 2017 Work Plan approved by the Panel;
4. adopt the updated Audit Panel Charter; and
5. at this time defer the consideration of a further independent Panel Member with financial experience until a new Chairperson is appointed.

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

CARRIED UNANIMOUSLY

## 5.3 TENDER REPORT CONTRACT CT0183 STEELE ROOKE & MACFIE STREET INTERSECTION IMPROVEMENTS (D463276)

### 37/17 RESOLUTION

MOVED: Ald Laycock

SECONDED: Ald Rockliff

That Council, in relation to Contract CT0183 Steele Rooke &amp; MacFie Street Intersection Improvements:

- a) award the contract to Kentish Construction & Engineering Company Pty Ltd for the tendered sum of \$264,615 (ex GST);



- b) note that design, project management and administration for the project are estimated to cost \$15,000 (ex GST);
- c) note that relocation of existing infrastructure and Telstra works for the project are estimated to cost \$44,377 (ex GST);
- d) note that a construction contingency of \$26,000 (ex GST) is included in the budget.

	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 LIVING CITY QUARTERLY REPORT - MARCH 2017 (D463723)

##### 38/17 RESOLUTION

MOVED: Ald Goodwin  
 SECONDED: Ald Emmerton

That the quarterly LIVING CITY progress report be received and Council note:

1. the following changes to the previously adopted Stage 1 funding model:
  - a) a reduction of \$900,000 in project costs;
  - b) an increase of \$1,000,000 in funding from the State Government;
  - c) the inclusion of additional revenue and expenditure for fit out of LINC and Service Tasmania; and
  - d) a reduction in the likely loan borrowings of \$1,900,000; and
2. that additional advice has been obtained from Horwath HTL regarding likely trading projections and financial modelling of a waterfront hotel and determine that this is a confidential document to be made available only to pre-qualified potential hotel operators.

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

CARRIED

#### 5.5 TASWATER - STATE GOVERNMENT TAKEOVER (D465098)

##### 39/17 RESOLUTION

MOVED: Ald Goodwin  
 SECONDED: Ald Rockliff

That the report of the General Manager relating to TasWater be received and noted and that Council not form a definite view on the proposed takeover by the State Government until such time as more information and clarity is provided on the matter.

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

CARRIED UNANIMOUSLY

## 6.0 INFORMATION

### 6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D454188)

#### 40/17 RESOLUTION

MOVED: Ald Rockliff

SECONDED: Ald Matthews

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 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 (D454200)

#### 41/17 RESOLUTION

MOVED: Ald Laycock

SECONDED: Ald Perry

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

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
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 - MARCH 2017 (D461978)****42/17 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

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

**7.0 SECTION 23 COMMITTEES****7.1 PLANNING AUTHORITY COMMITTEE MEETING - 6 MARCH 2017 (D463193)****43/17 RESOLUTION**

MOVED: Ald Perry

SECONDED: Ald Emmerton

That the minutes of the Planning Authority Committee meeting held on Monday, 6 March 2017 be received and the recommendations contained therein be noted.

PAC 03/17 Planning Applications approved/refused under Delegated Authority - 7 February 2017 - 28 February 2017

PAC 04/17 PA2017.0001 - Two Lot Subdivision (One Additional Lot) - 98 North Street Devonport

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

CARRIED UNANIMOUSLY

**DELEGATED DECISIONS OF THE PLANNING AUTHORITY NOTED BY COUNCIL****PAC 03/07 Planning Applications approved/refused under Delegated Authority – 7 February 2017 – 28 February 2017(D462171)**

That the list of delegated approvals/refusal be received.

**PAC 04/07 PA2017.0001 - Two Lot Subdivision (One Additional Lot) - 98 North Street Devonport (D462274)**That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 58 of the *Land Use Planning and Approvals Act 1993*, approve application PA2017.0001 and grant a Permit to use and develop land identified as 98 North Street, Devonport for the following purposes:

- Two lot subdivision (one additional lot)

Subject to the following conditions:

1. The subdivision is to be undertaken generally in accordance with the submitted plans referenced as Drawing: ZEP98-001 - Revision 3, dated 8 February 2017 by ZACEDEN PROPERTIES. A copy of which is attached and endorsed as a document forming part of this Planning Permit.
2. The subdivider 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 3**.
3. The subdivider is to take all reasonable steps during the required civil works to minimise off site environmental effects occurring that might result in a nuisance. This includes air, noise and water pollution and doesn't allow for burning of any waste materials.
4. A vehicular driveway access to the proposed lot 2 shall be generally constructed in accordance with IPWEA Tasmanian Standard Drawing TSD R09v1.
5. The development is to comply with the *Urban Drainage Act 2013*.
6. The existing private stormwater service lines servicing lot 1 are to be relocated to be entirely within lot 1 and/or the proposed service easement in favour of lot 1 through lot 2. Any redundant service lines and connections are to be located and decommissioned. A new connection into the existing stormwater main in Chalmers Lane is to be provided and is to be a minimum of 150mm diameter.
7. A new separate stormwater service connection for lot 2 is to be constructed in accordance with Tasmanian Standard Drawings. The minimum size of the proposed connection is to be 150mm diameter.
8. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

## **7.2 PLANNING AUTHORITY COMMITTEE MEETING - 20 MARCH 2017 (D465766)**

### **44/17 RESOLUTION**

MOVED: Ald Rockliff

SECONDED: Ald Perry

That the minutes of the Planning Authority Committee meeting held on Monday, 20 March 2017 be received and the recommendations contained therein be noted.

PAC 05/17 Planning Applications approved under Delegated Authority - 1 March 2017 - 13 March 2017

PAC 06/17 PA2017.0011

Section 58 - Change of Use (Food Services - Restaurant)  
 Section 57 - Alterations and Additions to Existing Building -  
 Assessment against Performance Criteria under Clause 22.4.5 -  
 Setback from Zone Boundaries - 131 Steele Street Devonport  
 (D464482).

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

CARRIED UNANIMOUSLY

**DELEGATED DECISIONS OF THE PLANNING AUTHORITY NOTED BY COUNCIL**

**PAC 05/17 Planning Applications approved under Delegated Authority - 1 March 2017 - 13 March 2017 (D464434)**

That the list of delegated approvals be received.

**PAC 06/07 PA2017.0011**

**Section 58 - Change of Use (Food Services - Restaurant)  
 Section 57 - Alterations and Additions to Existing Building -  
 Assessment against Performance Criteria under Clause 22.4.5 -  
 Setback from Zone Boundaries - 131 Steele Street Devonport  
 (D464482)**

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 PA2017.0011 and grant a Permit to use and develop land identified as 131 Steele Street, Devonport for the following purposes:

- Section 58 - Change of Use (Food services - restaurant)
- Section 57 – Alterations and additions to existing building - assessment against performance criteria under clause 22.4.5 - Setback from zone boundaries

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Change of Use - Lara's Restaurant, dated 22 January 2017 by Everard Architectural Design, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. 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 3**.
3. The developer is to comply with the conditions contained in the 'In-Principle Agreement for Roads and Stormwater' issued by the Devonport City Council on 9 January 2017 -

**refer to Attachment 4.**

4. The advertising sign is to be wholly located within the boundaries of the site and is only to be illuminated during opening hours of the restaurant.
5. The developer is to take all reasonable steps during the use of these facilities (including construction works) to prevent environmental nuisance such as air, noise and water pollution. Failure to do so may result in Council taking enforcement proceedings under the *Environmental Pollution and Control Act 1994*.

**7.3 GOVERNANCE AND FINANCE COMMITTEE MEETING - 20 MARCH 2017 (D465773)**

**45/17 RESOLUTION**

MOVED: Ald Emmerton  
SECONDED: Ald Rockliff

That the minutes of the Governance and Finance Committee meeting held on Monday, 20 March 2017 be received and the recommendations contained therein be adopted.

- GFC 52/17 Public Land Register - Updates to Register
- GFC 53/17 Annual Plan Progress Report - July 2016-February 2017
- GFC 54/17 Risk Management Framework
- GFC 55/17 Elected Members' Expenditure Report - November 2016 to February 2017
- GFC 56/17 Related Parties Disclosures Policy
- GFC 57/17 Budget Consultation 2017-2018 Report
- GFC 58/17 Local Government Association of Tasmania and Australian Local Government Association - Call for Motions
- GFC 59/17 Review of Section 24 Strategic Special Committees and Special Interest Groups
- GFC 60/17 Finance Report for February 2017
- GFC 61/17 Governance & Finance Report

**EFFECTIVE DECISIONS OF THE GOVERNANCE AND FINANCE COMMITTEE CONFIRMED BY COUNCIL**

**GFC 52/17 Public Land Register - Updates to Register**

That:

- (a) the Public Land Register be updated to include land at:
  - 2-4 Gloucester Street, Devonport;
  - 124 North Street, Devonport;
  - Orion Court, Devonport;
  - Nyora Court, Miandetta;
  - 9A Payton Place, Devonport;
  - 5A Jasmine Place, East Devonport;

- 10A Langslow Drive, Miandetta;
- Neely Street, East Devonport;
- Wise Court, Devonport;
- 2 Gibson Court, Spreyton;
- 5 Valkyrie Close, Devonport;
- Westbury Place, Devonport;
- 43 Devonport Road, Quoiba;
- McCabe Avenue, Devonport;
- 16 Woodrising Avenue, Spreyton;
- Pardoe Esplanade, East Devonport; and
- "Champion Park", Pumping Station Road, Forth.

(b) an updated copy of the Register be publicly available on Council's website and at the Council Offices.

**GFC 53/17 Annual Plan Progress Report - July 2016-February 2017**

That the 2016/17 Annual Plan Progress Report for the period ended 28 February 2017 be received and noted.

**GFC 54/17 Risk Management Framework**

That the report of the Risk and Compliance Coordinator be received and Council note the changes to the Risk Management Framework.

**GFC 55/17 Elected Members' Expenditure Report - November 2016 to February 2017**

That the report advising of Aldermen expenses be received and noted.

**GFC 56/17 Related Parties Disclosures Policy**

That the Related Parties Disclosures Policy be adopted, and it be made publicly available on Council's website and at the Council Offices.

**GFC 57/17 Budget Consultation 2017-2018 Report**

That it receive and note the Budget Consultation 2017-2018 report and refer submissions to budget deliberations.

**GFC 58/17 Local Government Association of Tasmania and Australian Local Government Association - Call for Motions**

That:

- (a) it note the details in relation to the 2017 Local Government Association of Tasmania Annual General Meeting and General Meeting and the 2017 Australian Local Government Association's National General Assembly.
- (b) submit motions to the LGAT General Meeting relating to:
  - Abandoned Vehicles
  - School Immunisation Programs

**GFC 59/17 Review of Section 24 Strategic Special Committees and Special Interest Groups**

That the Review of Committees report be received and noted and that Council:

1. amalgamate the activities of the Governance and Finance and Community Services Committees and form the Governance, Finance and Community Services Section 23

Committee effective 1 July 2017;

2. agree to the proposed changed structure for Special Interest Groups, Special Committees and Working Groups as outlined in the report;
3. membership of Aldermen on all Section 23 Committees and Committees be referred to a future Council Workshop for determination;
4. develop terms of reference/guidelines for all Committees;
5. note that new working groups or special interest groups will be convened on an as required basis from time to time.
6. expressions of interest for community participation in the committees will be sought following the development of the terms of reference.

**GFC 60/17 Finance Report for February 2017**

That the Finance Report for February 2017 be received and noted.

**GFC 61/17 Governance & Finance Report**

That the Governance and Finance 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

**8.0 CLOSED SESSION**

**46/17 RESOLUTION**

MOVED: Ald Rockliff  
 SECONDED: Ald Goodwin

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)



**The Mayor adjourned the meeting at 6:20pm to reconvene in Closed Session at 6:21pm.**

**The Council moved out Closed Session at 6:25pm.**

**Council resumed in open session at 6:25pm.**

**CLOSURE**

**There being no further business on the agenda the closed session was declared closed at 6:25pm.**

Confirmed

Chairman