

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS ON MONDAY, 23 JULY 2018 COMMENCING AT 5:30PM**

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	6:12pm	42 minutes
Closed Session	6:15pm	6:30pm	15 minutes
Total			57 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 J F Matthews  
 Ald T M Milne

**Council Officers:**

Acting General Manager, M Atkins  
 Executive Manager Organisational Development, K Peebles  
 Community Services Manager, K Hampton  
 Convention and Arts Centre Manager, G Dobson  
 Development Manager, B May  
 Executive Officer, J Surtees  
 Media & Communication Officer, N Tapp

**Audio Recording:**

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

**1.0 APOLOGIES**

The following apology was received for the meeting.

Ald L M Laycock	Leave of Absence
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**2.0 DECLARATIONS OF INTEREST**

The following Declarations of Interest were advised:

Ald T M Milne	5.2	Financial Assistance Grant Request Mersey Yacht Club Oceania and Australian Laser Championships
Ald J F Matthews	5.1	Tender Report Contract CT0220 Southern Rooke Street Renewal
Ald C D Emmerton	5.1	Tender Report Contract CT0220 Southern Rooke Street Renewal

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 25 JUNE 2018****122/18 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Milne

That the minutes of the Council meeting held on 25 June 2018 as circulated be confirmed.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Matthews	✓	
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****123/18 RESOLUTION**

MOVED: Ald Perry

SECONDED: Ald Emmerton

That the responses to questions from Mr Tony Butler and Mr Trevor Smith at the 25 June 2018 Council meeting be noted.

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

CARRIED UNANIMOUSLY

**3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC**

Nil

**3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC****MR RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

I understand from the agenda that Devonport City Council is about to move into its new Council Chambers using a removalist and also to have a sale of unwanted items which are in storage. The question I have is:

**Q1** I would appreciate if Devonport City Council could during its move to the new Council Chambers and before it has the sale of unwanted items in storage that it makes a concerted effort to find the missing items which belong to Devonport's Sister City Association.

**Response**

The Acting Mayor advised that concerted effort has been ongoing for some time and I understand that we have located some of those items and that will continue.

**Q2** I see we have no public toilets, they have been dismantled.

**Response**

The Acting General Manager advised that as part of the move the toilet block from out the back has been taken, but if any members of the public wish to use the toilet we can take them through to the toilets in the office building.

**MR DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT**

Page 15 of tonight's agenda, table 1 has five conforming tenders. The paragraph under the table lists a number of selection criteria.

**Q1** How many tenders have been considered in this financial year and how many of those successful tenders have been other than the lowest price?

**Response**

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

**Q2** Naming and Spelling pages 22, 23,61,68 and 76 and maybe others mention the Convention Centre however the first three have a different spelling to the last two. It appears that the Council personnel do not know what it should be!

Which is the correct spelling?

**Response**

The Acting Mayor advised that we would tighten up the spelling and thanked Mr Janney for bringing it to our attention.

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

Firstly I would like to commend the Acting Mayor for getting the planning approval right for the Optus tower as confirmed by the State Planning Commission. Also can I asked for clarification? I read something from the General Manager regarding questions on notice, or questions without notice. Can you just refresh my mind for me, if you take one of these questions on without notice, on notice, is it transferred to the next agenda and the next meeting, or is it going to be answered within ten days of this question being asked.

**Response**

The Acting Mayor advised that Mr Gardam would get a response in writing and then it would be noted in the next agenda.

**Q1.** For the record, will Council please confirm that all of the Development Manager's (P+i) costs, being in excess of \$3.2 million dollars as at 30/6/17 plus the 2017-2018 FY costs yet to be announced, are accounted for in the declared \$70.1 million cost of Living City Stage 1?

**Response**

The Acting Mayor advised that her answer would be yes, but I will seek clarification. The Acting General Manager said that if he understands Mr Gardam's question correctly, he is asking if the total costs that Council has paid to P+i over the time that we have engaged them, is included in stage 1 budget?

**Malcolm Gardam:** Yes, that is correct.

**Acting General Manager:** No, there was a period where they were engaged prior to starting on Stage 1.

**Malcolm Gardam:** Right, that was about \$400,00 dollars I believe. So that's not accounted for in the current budget?

**Acting General Manager:** The work that relates to Stage 1 is included in the \$71M dollar budget for Stage 1.

**Malcolm Gardam:** Is that all costs that are declared?

**Acting General Manager:** There are some previous costs prior to that which have been declared in Council's Annual Report and which aren't part of Stage 1.

**Malcolm Gardam:** I'm sorry Madam Chair, I just need to be very clear on this because I think I have got two conflicting answers that's why I have asked it for the record. All of the costs that have been declared for P+i are they included in the \$71M?

**Acting Mayor:** Mr Gardam, if you are not satisfied with the answer to your question I will take it on notice and a response will be provided in writing.

**Q2.** If all costs are not accounted for as part of Stage 1 will Council please advise specifically where those costs, or part thereof those overall costs, are specifically accounted for?

**Response**

The Acting Mayor advised that as already indicated your question will be taken on notice and a response provided in writing.

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

Acting Mayor, I have previously among other things asked what the cost to ratepayers will be to strengthen the mezzanine floor within Providore Place however no answer has been given in regard to the amount payable.

**Q1** My question is – specifically what is the amount that ratepayers will have to pay for the work that was necessary to strengthen the mezzanine floor in Providore Place?

**Response**

The Acting General Manager advised that Council has answered that question a couple of times to Mr Vellacott and in our most recent correspondence we said that we didn't have anything further to add.

**Q2** Is it fair and reasonable ratepayers should be held responsible for whatever it costs to rectify a deficient structurally designed floor structure for a known use at initial design, being a cooking school area, and more so considering that a payment of some \$600,000 per year as well as an amount of \$1,993,626 has been made to Projects and Infrastructure Council's Living City Development Managers to look after the best interests of ratepayers while managing the project delivery?

**Response**

The Acting Mayor advised that she would not accept a question that indicates something that is not true and is indicating insult to my staff, so I will not accept it. Your question has already been asked and answered thank you.

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

**Q3.** Council has previously advised that **the paranable centre, including the Conference Centre and Providore Place, will be open for business on the 3<sup>rd</sup> September 2018**, however, in the General Manager's report at Item 2.11 it states "It is currently anticipated that all Council, Library and Service Tasmania operations will commence in the paranable centre on Monday 3 September 2018"; accordingly, after some 2 years under construction, and only 6 weeks to opening can council confirm the date for handover by the builder (I.e. a firm Date for Practical Completion), and if there is are there any Acceleration Costs payable to the builder involved?

**Response**

The Acting General Manager advised that the opening date is the 3<sup>rd</sup> September and barring any unforeseen issue happening, we believe that we will achieve that date and be open on that day.

**Malcolm Gardam:** You will give me a written answer for that please?

**Acting Mayor:** No, your question has been answered, it will be noted in the minutes for the next meeting, thank you.

**Malcolm Gardam:** So, no Acceleration Costs involved in getting there?

**Acting Mayor:** No.

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

**Q3.** What is the now projected date that all tenancies in Providore Place will be opened for business and is Council comfortable with the loss of return/income due to all the obvious delays in the fitting out and completion of the premises?

**Response**

The Acting Mayor advised that was a matter between the Lessee of Providore Place. I understand that they are all underway, perhaps Mr Atkins has something more to add.

The Acting General Manager said that he understands that around the end of August at this stage, that three of the tenancies will be open.

**3.3 QUESTIONS FROM ALDERMEN**

Nil

**3.4 NOTICES OF MOTION**

**3.4.1 DEDICATION - MARY BINKS - NOTICE OF MOTION - ALD A J JARMAN (D535745)  
124/18 RESOLUTION**

MOVED: Ald Jarman  
SECONDED: Ald Matthews

That Council at a future Workshop discuss opportunities to formally recognise the contribution the late Mary Binks OAM made to the community of Devonport.

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

CARRIED UNANIMOUSLY

**3.4.2 REVIEW OF PARKING PERMIT SYSTEM - NOTICE OF MOTION - ALD T M MILNE (D535825)**

MOVED: Ald Milne  
SECONDED: Ald Jarman

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.

### 125/18 RESOLUTION

MOVED: Ald Goodwin  
SECONDED: Ald Matthews

The matter be deferred pending a workshop being held.

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

CARRIED UNANIMOUSLY

## 4.0 PLANNING AUTHORITY MATTERS

There were no items to consider as a Planning Authority.

## 5.0 REPORTS

Ald Emmerton and Ald Matthews left the meeting at 5:56pm.

### 5.1 TENDER REPORT CONTRACT CT0220 SOUTHERN ROOKE STREET RENEWAL (D532469)

#### 126/18 RESOLUTION

MOVED: Ald Goodwin  
SECONDED: Ald Perry

That Council in relation to CT0220 Southern Rooke Street Renewal:

- award the contract to Kentish Construction and Engineering Company Pty Ltd for the tendered sum of \$796,635 (ex GST);
- note that utility services and pre-purchased material costs are estimated at \$213,960 (ex GST);
- note that project management cost for the project are estimated at \$30,000 (ex GST); and
- note a construction contingency of \$119,500 (ex GST) is included, which if fully utilised will result in over budget expenditure of \$60,095 (ex GST).

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

CARRIED UNANIMOUSLY

Ald Emmerton and Ald Matthews returned to the meeting at 6:00pm.

Ald Milne left the meeting at 6:00pm.

## 5.2 FINANCIAL ASSISTANCE GRANT REQUEST MERSEY YACHT CLUB OCEANIA AND AUSTRALIAN LASER CHAMPIONSHIPS (D535634)

### 127/18 RESOLUTION

MOVED: Ald Goodwin  
SECONDED: Ald Matthews

That Council approve the request from the Mersey Yacht Club Inc. for 100% of the project cost, \$50,800, as requested, to cover the total cost of Stage 1 works plus the hire of the paranable convention centre for the events awards evening subject to:

- i) the signing of an Agreement between Council and MYC allowing for public access of the boat ramp;
- ii) acknowledgment of Council as a key sponsor of the event in all marketing material produced and at the event itself; and
- iii) note that this allocation will significantly reduce the funds available for distribution to other community groups/organisations during the 2018/19 financial year.

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

CARRIED UNANIMOUSLY

Ald Milne returned to the meeting at 6:07pm.

## 6.0 INFORMATION

### 6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D499006)

#### 128/18 RESOLUTION

MOVED: Ald Jarman  
SECONDED: Ald Milne

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 Matthews	✓	
Ald Emmerton	✓		Ald Milne	✓	
Ald Goodwin	✓		Ald Perry	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

### 6.2 MAYOR'S MONTHLY REPORT (D498988)

#### 129/18 RESOLUTION

MOVED: Ald Emmerton  
SECONDED: Ald Matthews

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

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

CARRIED UNANIMOUSLY

**6.3 GENERAL MANAGER'S REPORT - JULY 2018 (D498970)****130/18 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Milne

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

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

CARRIED UNANIMOUSLY

**7.0 SECTION 23 COMMITTEES****7.1 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 16 JULY 2018 (D535934)****131/18 RESOLUTION**

MOVED: Ald Jarman

SECONDED: Ald Milne

That the minutes of the Governance, Finance &amp; Community Service Committee meeting held on Monday, 16 July 2018 be received and the recommendations contained therein be adopted.

GFC 36/18 Local Government Association of Tasmania - Annual General Meeting and General Meeting - 25 July 2018

GFC 37/18 State Emergency Services - Memorandum of understanding

GFC 38/18 Environment Strategy 2019-2024

GFC 39/18 Regional Youth Strategy 2019-2024

GFC 40/18 Devonport Retail Strategy 2018-2023

GFC 41/18 Live and Learn Steering Group

GFC 42/18 Minutes of Council's Special Interest Groups and Advisory boards

GFC 43/18 Elected Members' Expenditure Report May and June 2018

GFC 44/18 Community Services, Arts and Culture Report - May/June 2018

GFC 45/18 Governance &amp; Finance Report



	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Matthews	✓	
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 36/18 Local Government Association of Tasmania - Annual General Meeting and General Meeting - 25 July 2018**

That the agendas for the Local Government Association of Tasmania Annual General Meeting and General Meeting to be held on 25 July 2018 be received and noted.

**GFC 37/18 State Emergency Services - Memorandum of understanding**

That Council authorise the General Manager to sign the revised version of the State Emergency Services – Memorandum of Understanding between Devonport City Council and Latrobe Council.

**GFC 38/18 Environment Strategy 2019-2024**

That in relation to the Environment Strategy 2019-2024:

- a) it be noted that no modifications to the original document have been made in light of community feedback;
- b) the Strategy be adopted;
- c) Ald Milne and Ald Jarman be appointed to the Environmental Strategy Working Group; and
- d) that a public Expression of Interest process be undertaken for the community members to be appointed to the Environmental Strategy Working Group.

**GFC 39/18 Regional Youth Strategy 2019-2024**

That in relation to the Regional Youth Strategy:

- a) It be noted that no submissions were received during the public consultation phase; and
- b) the Strategy be adopted.

**GFC 40/18 Devonport Retail Strategy 2018-2023**

That in relation to the Devonport Retail Strategy:

- a) it be noted that no modifications have been made to the draft document following community feedback; and
- b) the Strategy be adopted.

**GFC 41/18 Live and Learn Steering Group**

That the formation of the Live and Learn Steering Group be noted and endorsed.

**GFC 42/18 Minutes of Council's Special Interest Groups and Advisory boards**

That:

- a) the minutes of the Devonport Regional Gallery Advisory Board, Active City Special Committee and East Devonport Special Interest Group be received and noted; and
- b) it note the recommendation from the East Devonport Special Interest Group regarding the proposal for development of a Garden of Reflection at Pioneer Park and consider the development of a conceptual plan in the future, dependent on priorities emanating from the Pioneer Park Master Plan.

**GFC 43/18 Elected Members' Expenditure Report May and June 2018**

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

**GFC 44/18 Community Services, Arts and Culture Report - May/June 2018**

That the Community Services, Arts and Culture report be received and noted.

**GFC 45/18 Governance & Finance Report**

That the Governance and Finance report be received and noted.

**8.0 CLOSED SESSION****132/18 RESOLUTION**

MOVED: Ald Milne

SECONDED: Ald Jarman

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	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
8.1	Confirmation of Closed Minutes - Council Meeting - 25 June 2018	15(2)(g)
8.2	Application for Leave of Absence	15(2)(i)
8.3	Unconfirmed Minutes - Joint Authorities	15(2)(g)
8.4	Waterfront Hotel Update	15(2)(g)
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 16 July 2018	15(2)(f)

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

CARRIED UNANIMOUSLY

**The Acting Mayor adjourned the meeting at 6:12pm to reconvene in Closed Session at 6:15pm.**

**The Council moved out Closed Session at 6:30pm.**

**Council resumed in open session at 6:30pm.**

The Closed Session of Council having met and dealt with its business resolved to report that it had determined the following:

<b>Item No</b>	<b>Matter</b>	<b>Outcome</b>
8.1	Confirmation of Closed Minutes - Council Meeting - 25 June 2018	Noted
8.2	Application for Leave of Absence	Granted
8.3	Unconfirmed Minutes - Joint Authorities	Noted
8.4	Waterfront Hotel Update	Noted
8.5	Closed Session - Governance, Finance & Community Service Committee Meeting - 16 July 2018	Adopted

## **CLOSURE**

**There being no further business on the agenda the closed session was declared closed at 6:30pm.**

Confirmed

Chairman