

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL  
HELD IN THE COUNCIL CHAMBERS  
ON MONDAY, 25 JUNE 2018 COMMENCING AT 5:30PM**

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	6:18pm	48 minutes
Closed Session	6:19pm	6:35pm	16 minutes
Total			1 hour 4 minutes

**PRESENT:** Ald A L Rockliff (Acting Mayor)  
Ald G F Goodwin  
Ald A J Jarman  
Ald L M Laycock  
Ald J F Matthews

**Council Officers:**

General Manager, P West  
Deputy General Manager, M Atkins  
Executive Manager Corporate Services, J Griffith  
Executive Manager Organisational Development, K Peebles  
Convention and Arts Centre Director, 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 Perry	Leave of Absence
Ald C D Emmerton	Apology
Ald T M Milne	Apology

**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 PROCEDURAL**

The Acting Mayor and Aldermen recognised the contributions to the Devonport Community by former Mayor, Mary Binks, who passed away 19 June 2018.

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 28 MAY 2018**

**100/18 RESOLUTION**

MOVED: Ald Laycock  
SECONDED: Ald Matthews

That the minutes of the Council meeting held on 28 May 2018 as circulated be confirmed.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

### 3.2 PUBLIC QUESTION TIME

#### 3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

##### 101/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Matthews

That the responses to questions from Ms Patricia Ellison, Mr Josh Cox, Mr Peter Symons, Mr Justin Warren, Mr Bob Vellacott and Mr Malcolm Gardam at the 28 May 2018 Council meeting be noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

#### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

##### 102/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Laycock

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

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

#### 3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

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

Recently an article in The Advocate featuring the Acting Mayor stated that the Council was changing the sequence of Living City activities to put Tourism (and the building of a Hotel) ahead of Retail. As a result of the feedback in early 2017 on the Waterfront Precinct concept the Council undertook to do another traffic study.

- Q1** In view of the change referred to has the traffic study results been incorporated into the next iteration of the Waterfront Concept and when will the resultant new concept be available for public viewing?

**Response**

The Deputy General Manager advised that the traffic study has been undertaken and it will now feed into the next phase of design work for the Waterfront. That work has just started and will occur over the next few months. The traffic study has already been made available.

At the last Living Room presentation at the LINC the Acting Mayor was asked about the repurposing of the LINC building. The answer was that it could be up to 5 years after Council possession before the building is demolished.

**Q2** What has Council got in place for the maintenance of the building until demolished?

**Response**

The Acting Mayor responded that what she had said was that she wasn't sure what the plan was for the future, "I very clearly said that we hadn't made any decisions about the timeframes and certainly that will be a decision for Council moving forward. It will be something that we will discuss in the next phase once we have moved on from here into the building, the LINC have moved out and we have vacant possession. At this time we don't own the building".

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

**Q1** With the loss of dividends from TasWater for the year 2018-2019, how much will this loss be to the ratepayers of Devonport? How many years will continue for? What are the reasons why this is happening to the Ratepayers of Devonport and the other Councils involved with TasWater?

**Response**

The Acting Mayor advised that the amount is \$500,000 per year for ten years. It is as a result of a decision by TasWater around the need to improve their infrastructure.

**Q2** When will the sunken road at 3 Victoria Street, Devonport be fixed? This section of the street is between 50 and 60mm below the roadway and 3 metres long. It has been like this for at least 2-3 years and no repairs have been made, yet Council vehicles travel this street weekly.

**Response**

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

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

**Basis of Q1, 2 and 3.** When commenting on the Living City Project in the Advocate on the **17<sup>th</sup> March 2018**, the General Manager stated – **“Stage 1 was always going to be predominantly achieved with public money.”**

The above statement is in direct contradiction to earlier statements made by the Devonport City Council published in The Advocate on 7<sup>th</sup> August 2014 under the heading 'DCC answers Living City questions' being **“LIVING CITY is a strategy to grow the Devonport economy and not a council-funded project. With the majority of development being private investment, the strategy will not be reliant on ratepayer funding.”**

This statement was also confirmed by Alderman Jarman in The Advocate on 3<sup>rd</sup> November 2017 – being; **“Living City was always going to be funded by Federal cash, cash or in kind support from the State Government and by the private sector.”**

There can be no doubt that the Living City project has been heavily reliant upon ratepayer funding as private investment in Stage 1 failed to come to fruition and government grants/cash funding did not cover sufficient Stage 1 costs.

My questions are as follows and directed to the General Manager with each requiring an individual response.

**Q1** Why then did the Devonport City Council appear to mislead ratepayers as to its earlier statements (Adv 7/08/14) and statements made at public information sessions, by now communicating to them that “*Stage 1 was always going to be predominantly achieved with public money” (Adv 17/03/18) and Council will fund its offices and **some** of the public infrastructure through borrowings and council cash reserves” (FAQ’s October 2015)?*

**Response**

The Acting Mayor advised that obviously that is open to interpretation. The comments about public money and private money was always about every stage of Living City. Council were fully aware that Stage 1 would be funded through public money, but the rest of the developments would be private money and that had always been the intention and always the understanding.

**Q2** How much infrastructure funding for Stage 1 has been forthcoming from the private sector as indicated by Council to ratepayers?

**Response**

The Acting Mayor responded, none.

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

**Q1** I refer to my questions asked on notice and the responses given on page 15 of the agenda in regard as to why it was necessary to strengthen the mezzanine floor in the Food Pavilion and why ratepayers have to pay for the work. I consider the responses are totally evasive and now ask was this work required due to mismanagement or incompetence?

**Response**

The Acting Mayor advised, no.

The Deputy General Manager said that Council had previously written to Mr Vellacott regarding this matter. The reasons were the floor loads that were required, or the loading that was required on the floor meant that it needed to be strengthened.

**Q2** What is the total number of conferences, meetings and functions currently confirmed for the conference facility in the new multi-purpose building (paranapple centre) and what is the total value of these bookings?

**Response**

The General Manager responded that at the present time, there are no functions that have been booked. At least one conference has been confirmed. As to the value of the bookings this information is not available at this stage, but obviously as part of financial reporting Council will be reporting this information as the year progresses. It needs to be remembered that the convention space is still being finalised and obviously Council is taking some forward bookings and certainly inquiries.

**TERRY JEFFREY – 16 LEARY AVENUE, DEVONPORT**

**Q1** Mrs Jones restaurant, is it true, or false that she is going to fly the coop? In otherwords, is she leaving Devonport?

**Response**

The Acting Mayor advised that she has certainly heard nothing that would indicate the restaurant is closing. The General Manager stated that there is a lease agreement in place with the operators of Mrs Jones and it still has sometime to run.

**TONY BUTLER – 2 DREW STREET, EAST DEVONPORT**

**Q1** Pioneer Park, once again, you probably don't want to talk about it. There is nobody over there at all, Police or anyone that does anything for that park after nine o'clock of a night? What can we do about it?

Also I have noticed children at night that shouldn't be outside, their mothers should be in gaol for letting their children out so late. The other night while walking through there, those children came from the school grounds one had a little one in a pram, one was on a bike and they eventually went around to old Police Point. That is one o'clock in the morning and this happens quite regularly. I have personally sat for hours and watched for Police, it wouldn't hurt them to get off their bum and walk through the park.

**Response**

The Acting Mayor advised that isn't an issue for Council, but was sure that the General Manager will take it up with our local Police.

**Q2** Would Council be able to install a light or something in there?

**Response**

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

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

**Q3.** Given the reality of the level of ratepayer funding for Stage 1, why did Council not announce the required \$50 million ratepayer funding until the 29<sup>th</sup> February 2016, 14 days prior to adopting the funding model and approving Stage 1 construction, and thereby allowing only 9 days for ratepayers to provide submissions, when by its own statement was definitely aware of the likely quantum of ratepayer funding in November 2015 or earlier?

**Response**

The Acting Mayor again stated "Mr Gardam, it is your interpretation of these events, the question has been asked and answered".

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

**Q3** In regard to the Traffic Management report, relating to Formby Road within the Waterfront Precinct. What is the future of this section of the road?

**Response**

The Deputy General Manager advised that report looked at five or six options, ranging from removing the road, right through to leaving it as it is and adding some extra parking. It provided comment around each of those options and that is being fed into the next design phase.

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

**Q3** If the Living City debt reduction revenue is from property sales and/or activities are those loan repayments nett of all associated costs relating to those activities?

**Response**

The General Manager advised that he didn't understand the question and sought clarification. The questioner indicated that he would reword the question for a future time.

**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****5.1 RATES AND CHARGES POLICY (D527115)****103/18 RESOLUTION**

MOVED: Ald Laycock  
SECONDED: Ald Matthews

That Council adopt the Rates and Charges Policy with immediate effect.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**5.2 ANNUAL PLAN AND BUDGET ESTIMATES - 2018-2019 (D529402)****104/18 RESOLUTION**

MOVED: Ald Matthews  
SECONDED: Ald Goodwin

**A. ANNUAL PLAN**

That in accordance with Section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2019 and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's Offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

**B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)**

That:

- (a) in accordance with Section 82 of the *Local Government Act 1993* the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2018/2019 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the Act the Council, by absolute majority, authorises the General Manager to make minor

adjustments up to \$50,000 to any individual estimate item (including capital works) as he deems necessary during the 2018/2019 financial year provided that the total of the Estimates remains unaltered.

**C. RATES AND CHARGES 2018/19**

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993*, and the *Fire Services Act 1979* for the financial year 1 July 2018 to 30 June 2019 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

**Definitions and Interpretations**

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

**“Act”** means the *Local Government Act 1993*;

**“AAV”** means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

**“land”** means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

**“land used for primary production”** means all land used or predominantly used for primary production and includes all land coded “L” in the valuation list;

**“land used for residential purposes”** means all land used or predominately used for residential purposes and includes all land coded “R” in the valuation list;

**“municipal area”** means the municipal area of Devonport;

**“non-used land”** means all land coded “V” in the valuation list;

**“supplementary valuation”** means a supplementary valuation made under the *Valuation of Lands Act 2001*.

**“tenancy”** means a portion of land which the Valuer-General has determined is capable of separate occupation and so has separately determined the AAV of that portion, pursuant to Section 11(3)(c) of the *Valuation of Land Act 2001*; and

**“valuation list”** means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*.

**1. RATES RESOLUTION- PART 1 (A)**

Pursuant Sections 90 and 91 of the *Local Government Act 1993* the Council makes a General Rate (“the General Rate”) in respect of all rateable land (except land which is exempt pursuant to Section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 11.6215 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$300 on all land or tenancy.

**2. RATES RESOLUTION – PART 1(B)**

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for primary production to 7.2271 cents in the dollar of assessed annual value of such rateable land.

**3. RATES RESOLUTION – PART 1(C)**

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 7.2271 cents in the dollar of assessed annual value of such rateable land.

**4. RATES RESOLUTION – PART 2**

4.1 Pursuant to Sections 94 and 95 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2018 to 30 June 2019:

(a) A waste management service charge of \$260 upon all land or tenancy to which Council supplies or makes available a kerbside collection service

4.2 Pursuant to Section 107 of the Act the Council, by absolute majority declares that the service charge for waste management is varied by reference to the use or predominant use of land as follows:

(a) For all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$780, subject to 4.3 below; and

(b) For all land which is non-used land the service charge is varied to \$0.00

4.3 Pursuant to Section 88A of the Act the Council by absolute majority determines:

(a) That the maximum percentage increase of the varied service charge for waste management (as previously made and varied by 4.1 and 4.2 above) is capped at 25% above the amount which was payable in respect of the waste management rate charged in the 2017/2018 financial year and;

(b) To qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2017 to 30 June 2018.



**5. RATES RESOLUTION – PART 3**

Pursuant to Section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2018 to 30 June 2019:

- (a) a Devonport Urban Fire District Rate of 1.4209 cents in the dollar of assessed annual value, subject to a minimum amount of \$40 in respect of all rateable land within the Devonport Urban Fire District.
- (b) a Forth/Leith Fire District Rate of 0.4693 cents in the dollar of assessed annual value, subject to a minimum amount of \$40 in respect of all rateable land within Forth/Leith Fire District.
- (c) a General Land Fire Rate of 0.3768 cents in the dollar of assessed annual value, subject to a minimum amount of \$40 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

**6. SEPARATE LAND**

In relation to all rates and charges for the 2018/2019 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

**7. ADJUSTED VALUES**

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

**8. PAYMENT OF RATES AND CHARGES**

Pursuant to Section 124 of the *Local Government Act 1993* the rates for 2018/2019 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2018
Second Instalment	31 October 2018
Third Instalment	28 February 2019
Fourth Instalment	30 April 2019

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

**Penalties**

Pursuant to Section 128 of the *Local Government Act 1993* if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2019; and

- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement.

#### **Supplementary Rates**

- (a) Pursuant with Sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2019, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid within 30 days of the date on which that notice is issued.

#### **D. CAPITAL WORKS PROGRAM**

That Council:

- (a) pursuant to Section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2018/2019 financial year as detailed in the Annual Plan
- (b) notes the draft Capital Works programs proposed for financial years 2019/20, 2020/21, 2021/22 and 2022/23 as detailed in the Annual Plan, which remain subject to change depending on other priorities being identified and financial resources which may be available at the time.

#### **E. FEES AND CHARGES**

That in accordance with Section 205 of the *Local Government Act 1993* Council adopts the Fees and Charges Schedule for the 2018/2019 financial year as detailed in the Annual Plan.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

### **5.3 FINANCIAL MANAGEMENT STRATEGY (D530612)**

#### **105/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That Council adopt the attached Financial Management Strategy with immediate effect.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**5.4 PIANO ACQUISITION FOR THE PARANAPLE CONVENTION CENTRE (D530236)****106/18 RESOLUTION**

MOVED: Ald Goodwin  
 SECONDED: Ald Laycock

That Council authorise the purchase of a Yamaha C7XSH Semi Concert Grand Piano direct from Yamaha Music Australia for the quoted sum of \$39,500 (ex GST), which is to be funded from the Living City Stage 1 project contingency allowance.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**5.5 PETITION - REQUEST TO SEAL WEBBERLEYS ROAD, FORTHSIDE (D529344)****107/18 RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Laycock

That Council receive and note the petition relating to the sealing of Webberleys Road and determine:

1. to include the sealing project in its 5-year capital works schedule as a prioritisation project in Year 4 of the program; and
2. the petitioners be advised accordingly.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.0 INFORMATION****6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D499004)****108/18 RESOLUTION**

MOVED: Ald Matthews  
 SECONDED: Ald Laycock

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 Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.2 MAYOR'S MONTHLY REPORT (D498987)****109/18 RESOLUTION**

MOVED: Ald Laycock  
 SECONDED: Ald Jarman

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

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.3 GENERAL MANAGER'S REPORT - JUNE 2018 (D498969)****110/18 RESOLUTION**

MOVED: Ald Goodwin  
 SECONDED: Ald Matthews

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

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.4 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY - REPRESENTATIVES MEETING - 24 MAY 2018 (D530605)****111/18 RESOLUTION**

MOVED: Ald Matthews  
 SECONDED: Ald Jarman

That the unconfirmed minutes of the Cradle Coast Authority Representatives meeting which was held on 24 May 2018 be received and noted.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.5 QUARTERLY UPDATE - LIVING CITY - JUNE 2018 (D528240)****112/18 RESOLUTION**

MOVED: Ald Laycock  
 SECONDED: Ald Goodwin

That Council receive the LIVING CITY Quarterly Update.

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**6.6 SHARED AUDIT PANEL - ANNUAL REPORT AND MINUTES OF MEETINGS (D529912)****113/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Matthews

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; and
2. receive the unconfirmed minutes of the Audit Panel meeting held on 4 June 2018.

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**7.0 SECTION 23 COMMITTEES****7.1 PLANNING AUTHORITY COMMITTEE MEETING - 4 JUNE 2018 (D529441)****114/18 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Matthews

That the minutes of the Planning Authority Committee meeting held on Monday, 4 June 2018 be received and the decisions determined be noted.

PAC 03/18 Planning Applications approved under Delegated Authority - 26 March 2018-28 May 2018

PAC 04/18 PA2018.0058 Permitted: Business and professional services (Dentist), Residential (multiple dwellings x 2) and associated demolition and signage. Discretionary: assessment against performance criteria for setback and building envelope, setback.

PAC 05/18 PA2018.0031 Bulky Goods Store (showroom extension) - assessment against performance criteria of Code E9 for a reduction in vehicle parking spaces, ancillary storage and demolition of single dwelling - 24 & 26 Don Road Devonport

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

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

**PAC 03/18 Planning Applications approved under Delegated Authority - 26 March 2018-28 May 2018**

That the list of delegated approvals be received.

**PAC 04/18 PA2018.0058 Permitted: Business and professional services (Dentist), Residential (multiple dwellings x 2) and associated demolition and signage. Discretionary: assessment against performance criteria for setback and building envelope, setback.**

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 PA2018.0058 and grant a Permit to use and develop land identified as 9 Victoria Parade, Devonport for the following purposes:

- Permitted: Business and professional services (Dentist), Residential (multiple dwellings x 2) and associated demolition and signage
- Discretionary: assessment against performance criteria for setback and building envelope, setback of development for sensitive use and Traffic Generating Use and Parking Code

Subject to the following conditions:

**Planning Conditions**

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as proposed dental practice and multiple dwelling - Project: J002947, dated 11/4/18 by S Group, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. No more than 3 health professionals are to work at the dentist surgery at any one time.
3. The advertising sign at the front of the site is to be less than 5m<sup>2</sup> and is only permitted to be illuminated during the opening hours of the dentist.

**City Infrastructure Conditions**

4. The existing stormwater pit (concrete slab lid) and grated entry pit (in the existing kerb) on the proposed driveway alignment are to be upgraded, in accordance with the Tasmanian Standard Drawings, to be trafficable for the proposed driveway.
5. The proposed driveway is to be concrete and constructed to Tasmanian Standard Drawings TSD-R09. The developer is to take into account the existing parking arrangements and stormwater infrastructure when designing the proposed new driveway.
6. The existing redundant driveway is to be demolished and the area reinstated to match the adjoining infrastructure in accordance with the Tasmanian Standard Drawings.

7. Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.
8. A Road Reserve Permit will be required for all works occurring within the road reserve.

**TasWater Condition**

9. 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*.

**PAC 05/18 PA2018.0031 Bulky Goods Store (showroom extension) - assessment against performance criteria of Code E9 for a reduction in vehicle parking spaces, ancillary storage and demolition of single dwelling - 24 & 26 Don Road 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 PA2018.0031 and grant a Permit to use and develop land identified as 24 Don Road & 26 Don Road Devonport for the following purposes:

- Bulky Goods Store (showroom extension) - assessment against performance criteria of Code E9 for a reduction in vehicle parking spaces, ancillary storage and demolition of single dwelling

Subject to the following conditions:

1. Unless inconsistent with consequent conditions of this permit the use and development is to proceed generally in accordance with:
  - (a) The submitted plans referenced as Proposed Demolition of Timber Framed Cottage & Two Storey Extension to Retail Outlet & Detached Steel Framed Kit Shed for City Bike Centre Pty Ltd, Project 13117C as amended on 24/03/18 by Weeda Drafting & Building Consultants Pty Ltd copies of which are attached and endorsed as documents forming part of this Planning Permit.
  - (b) The Application for Planning Permit by EnviroPlan dated 7/12/2017.
  - (c) The 26 Don Road, Devonport Traffic Impact Assessment by Midson Traffic Pty Ltd dated February 2018.
2. The developer is to submit an amended plan(s) to Council for consideration of granting any approval before any site works commence that indicate the following detail:
  - (a) How compliance with clause 23.4.2 A1.2 of the *Devonport Interim Planning Scheme 2013* achieves compliance with the Acceptable Solution of that Zone Standard;

- (b) How compliance with condition 2(a) above still allows the variation to the parking space quantum to achieve compliance with the Acceptable Solutions of clause E9.6.1 A1.2 of the Code Standard of the Devonport Interim Planning Scheme 2013.
  - (c) How compliance with the parking space quantum required for workshop/servicing for motorcycles, quadbikes is achieved per Table E9.1 of Code E9 of the Devonport Interim Planning Scheme 2013.
  - (d) How the proposed driveways can accommodate class "B99" vehicles and the proposed heavy vehicle and car/trailer combinations for horizontal swept paths and vertical clearances.
  - (e) How the design for internal driveway and parking is in accordance with the relevant off-street parking standard AS2890. Vehicular turning movements are to be demonstrated on the plan to meet the requirements of this standard, and clearly shown on the drawings submitted in subsequent building permit application.
3. The developer is to ensure that all parking spaces for customers and staff are line marked, assigned and maintained as such for the duration of the activity.
  4. The developer is to ensure that all loading and unloading of motorcycles and other goods whether by customers, employees and delivery personnel is undertaken from vehicles parked on the site.
  5. The developer is to ensure that any outside display of motorcycles and other goods does not occur on any assigned parking spaces.
  6. 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.
  7. The developer is to take all reasonable steps during demolition and construction to prevent environmental effects occurring that might result in a nuisance. This includes no immediate off-site storage of associated building equipment and materials on public land and the pollutant effects from noise, water and air.
  8. The developer is to ensure that stormwater discharge from the proposed development is 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 proposed development to that equivalent to only 50% of the existing lot being impervious. Peak discharge is to be limited by utilising suitably designed on-site stormwater detention systems. All design calculations are to be submitted as part of subsequent building and plumbing permit applications. The approved installation is to be connected to existing Council's stormwater infrastructure located at the rear of the property generally in accordance with the relevant Tasmanian Standard Drawings.

9. The developer is to design and install all driveway accesses for the proposed development generally in accordance with Tasmanian Standard Drawings TSD-R09. Included with this design is how any reinstatement of footpaths, barrier kerb and/or nature strip and any redundant crossovers to match the adjoining infrastructure and otherwise in accordance with the relevant Tasmanian Standard Drawings is to be achieved.
10. The developer is to ensure that the design for internal driveway and parking is in accordance with the relevant off street parking standard AS2890. Vehicular turning movements are to be demonstrated to meet the requirements of this standard, and clearly shown on the drawings submitted in subsequent building permit applications.

## **7.2 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 18 JUNE 2018 (D531177)**

### **115/18 RESOLUTION**

MOVED: Ald Matthews

SECONDED: Ald Jarman

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 18 June 2018 be received and the recommendations contained therein be adopted.

- IWC 21/18 Tender Report Contract 1320 Weed Control – **approved under delegated authority**
- IWC 22/18 Tender Report Contract 1321 Roadside Mowing- **approved under delegated authority**
- IWC 23/18 Riding and Skating in the CBD
- IWC 24/18 Transport Asset Management Plan
- IWC 25/18 Cemetery Strategy - Year Seven Status
- IWC 26/18 Cradle Coast Waste Management Group 2018/19 Annual Plan & Budget
- IWC 27/18 Infrastructure and Works Report
- IWC 28/18 Development and Health Services Report

	For	Against		For	Against
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

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

**IWC 21/18 Tender Report Contract 1320 Weed Control**

That the report from the Project Management Officer in relation to Contract 1320 Weed Control be received and noted and Council:

- a) award the contract to Steeds Weeds Solutions for the tendered sum of \$107,180 (ex GST); and
- b) note the contract conditions allow for two, one year extensions based on a consumer price index adjustment and subject to satisfactory performance by the contractor.

**IWC 22/18 Tender Report Contract 1321 Roadside Mowing**

That the report from the Project Management Officer in relation to Contract 1321 Roadside Mowing be received and noted and Council:

- a) award the contract to Mareeba Trust for the tendered sum of \$65,250 (ex GST); and
- b) note the contract conditions allow for two, one year extensions based on a consumer price index adjustment and subject to satisfactory performance by the contractor.

**IWC 23/18 Riding and Skating in the CBD**

That the report of the City Engineer be noted and that Council remove the 'no-go' zones established in 2001.

**IWC 24/18 Transport Asset Management Plan**

That the report relating to the draft Transport Asset Management Plan 2017 be received and noted and the release of the plan for a 30 day consultation period be endorsed.

**IWC 25/18 Cemetery Strategy - Year Seven Status**

That the report of the Infrastructure and Works Manager be received and Council note the status of actions listed in the Devonport City Council Cemetery Strategy.

**IWC 26/18 Cradle Coast Waste Management Group 2018/19 Annual Plan & Budget**

That the Cradle Coast Waste Management Group 2018/19 Annual Plan & Budget be received and noted.

**IWC 27/18 Infrastructure and Works Report**

That the Infrastructure and Works report be received and noted.

**IWC 28/18 Development and Health Services Report**

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

**8.0 CLOSED SESSION****116/18 RESOLUTION**

MOVED: Ald Laycock

SECONDED: Ald Matthews

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items be dealt with in Closed Session:

<b>Item No</b>	<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
8.1	Application for Leave of Absence	15(2)(i)
8.2	Confirmation of Closed Minutes – Council Meeting – 28 May 2018	15(2)(g)
8.3	Unconfirmed Minutes – Joint Authorities	15(2)(g)
8.4	169 Steele Street, Devonport	15(2)(f)
8.5	Tribunal Appeal Optus Tower – 94 Winspears Road, East Devonport	15(2)(i)

	<b>For</b>	<b>Against</b>		<b>For</b>	<b>Against</b>
Ald Rockliff	✓		Ald Laycock	✓	
Ald Goodwin	✓		Ald Matthews	✓	
Ald Jarman	✓				

CARRIED UNANIMOUSLY

**The Acting Mayor adjourned the meeting at 6:18pm to reconvene in Closed Session at 6:19pm.**

**The Council moved out Closed Session at 6:35pm.**

**Council resumed in open session at 6:35pm.**

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	Application for Leave of Absence	Noted
8.2	Confirmation of Closed Minutes - Council Meeting - 28 May 2018	Confirmed
8.3	Unconfirmed Minutes - Joint Authorities	Noted
8.4	169 Steele Street, Devonport	Considered the tenders received for the property and approved the sale subject to approval of the State Government.
8.5	Tribunal Appeal Optus Tower - 94 Winspears Road, East Devonport	Determined to accept the legal advice provided and withdraw from the appeal noting that the Tribunal will likely approve the application.

**CLOSURE**

**There being no further business on the agenda the closed session was declared closed at 6:35pm.**

Confirmed

Chairman