



*The City with Spirit*

## NOTICE OF MEETING

Notice is hereby given that an **Ordinary Council** meeting of the Devonport City Council will be held in the Council Chambers, on Monday 26 February 2018, commencing at 5:30pm.

**The meeting will be open to the public at 5:30pm.**

## QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West  
GENERAL MANAGER

**21 February 2018**

### March 2018

Meeting	Date	Commencement Time
Governance, Finance & Community Services	19 March 2018	5.30pm
Council Meeting	26 March 2018	5.30pm



**AGENDA FOR AN ORDINARY MEETING OF DEVONPORT CITY COUNCIL  
HELD ON MONDAY 26 FEBRUARY 2018 AT THE COUNCIL CHAMBERS AT 5:30PM**

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Agenda of an ordinary meeting of the Devonport City Council to be held at the Council Chambers, Fenton Way, Devonport on Monday, 26 February 2018 commencing at 5:30pm.

**PRESENT**

		<b>Present</b>	<b>Apology</b>
	Ald S L Martin (Mayor)		✓
Chair	Ald A L Rockliff (Deputy Mayor)		
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald A J Jarman		
	Ald L M Laycock		
	Ald J F Matthews		
	Ald T M Milne		
	Ald L M Perry		

**ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

**IN ATTENDANCE**

All persons in attendance are 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. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

**1.0 APOLOGIES  
LEAVE BLANK OR**

The following apology was received for the meeting.

Ald S L Martin	Leave of Absence
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**2.0 DECLARATIONS OF INTEREST**

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 29 JANUARY 2018**

**RECOMMENDATION**

That the minutes of the Council meeting held on 29 January 2018 as circulated be confirmed.

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### 3.2 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with Council's Public Question Time Policy (Min No 159/17 refers):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (meeting Procedures) Regulations 2015*.
  2. Public participation will be the first agenda item following the formal motions: Apologies, Minutes and Declarations of Interest.
  3. Questions without notice will be dependent on available time at the meeting (with a period of 30 minutes set aside at each meeting).
  4. A member of the public who wishes to ask a question at the meeting is to state their name and address prior to asking their question.
  5. A maximum of 2 questions per person are permitted.
  6. A maximum period of 3 minutes will be allowed per person.
  7. If time permits, a third question may be asked once all community members who wish to ask questions have done so. A time limit of 2 minutes will apply.
  8. Questions are to be succinct and not contain lengthy preamble.
  9. Questions do not have to be lodged prior to the meeting, however they will preferably be provided in writing.
  10. A question by any member of the public and an answer to that question are not to be debated.
  11. Questions without notice and their answers will be recorded in the minutes.
  12. The Chairperson may take a question on notice in cases where the questions raised at the meeting require further research or clarification, or where a written response is specifically requested.
  13. Protection of parliamentary privilege does not apply to local government and any statements or discussion in the Council Chambers, or any document produced, are subject to the laws of defamation.
  14. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so in accordance with the Public Question Time Policy.
-

### 3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

File: 27452 D508407

Responses to questions raised at prior meetings are attached.

#### ATTACHMENTS

1. Response - Questions Asked - Council Meeting - 29 January 2018 - Trevor Smith
2. Response - Questions Asked - Council Meeting - 29 January 2018 - Bob Vellacott
3. Response - Questions Asked - Council Meeting - 29 January 2018 - Malcolm Gardam
4. Response - Questions Asked - Council Meeting - 29 January 2018 - Douglas Janney

#### RECOMMENDATION

That the responses to questions from Mr Trevor Smith, Mr Bob Vellacott, Mr Malcolm Gardam and Mr Douglas Janney at the 29 January 2018 Council meeting be noted.

Author:	Paul West
Position:	General Manager



DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 17 Fenton Way Devonport

Telephone 03 6424 0511

Email council@devonport.tas.gov.au Web www.devonport.tas.gov.au

31 January 2018

**In reply please quote:**

File 31424

Mr Trevor Smith  
7 Glen Court  
DEVONPORT TAS 7310

Dear Mr Smith

**QUESTIONS WITHOUT NOTICE – 29 JANUARY 2018 – COUNCIL MEETING**

I refer to your questions raised at the 29 January 2018 Council meeting and provide the following responses.

**Q1(a)** With regards to file 31424, "Lid Raisings" in the Devonport Municipality, could you supply me locations where the first lot of lid raisings will occur, in the next 2-3 months, as you stated in your reply?

**A.** Lids will be raised at the following locations:

- Mersey Main Road, Sheffield Road to Devonport Road
- Stony Rise Road, Devonport Road to Lawrence Drive
- Intersection of William Street and Oldaker Street

**(b)** Also could you provide me with the locations of the remaining sites for the 2018-19 Financial Year, that are on your list to be completed?

**A.** Remaining sites are subject to confirmation with Taswater but currently include:

- Intersection of Oldaker Street and Sorell Street
- Wright Street, Stephen Street to Douglas Street
- Intersection of William Street and Nicholls Street
- Intersection of Steele Street and Sorell Street

**Q2(a)** With regards to File 31424, part 2, you mentioned that the Contractor (Council) has a few minor defects to rectify. I have taken three photos of Ronald Street where the roadworks have been completed to an unsatisfactory standard! As these images show, the standard is well below what is required for the City of Devonport, I presume you employ engineers to check out these works or is it up to the Ratepayers to tell you about your poor workmanship?

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- A. The photos provided were taken before the road was swept, and therefore show loose gravel which was subsequently removed. It is standard practice to wait up to eight weeks, depending on conditions, before sweeping a new seal for the first time. Line marking has also been applied since the photos were taken.

The photos also show some bare patches on the nature strip which was noted and will be addressed in more favourable growing conditions.

In regards to the short section of original kerb that was not replaced, it is likely that this section will be replaced on a different alignment in 2018-19 financial year. Council has responded to recent crashes at the intersection by making a submission to the Federal Government's Black Spot program to construct a roundabout at this intersection. Preliminary advice is that Council's submission will be successful and funds will be available in 2018-19. The roundabout will require changes to each of the four corners of the intersection and therefore it was decided not to replace any kerb that might have to be replaced again in less than a year. If for some reason the funding submission is unsuccessful, then the remaining kerb will be replaced as part of normal maintenance work.

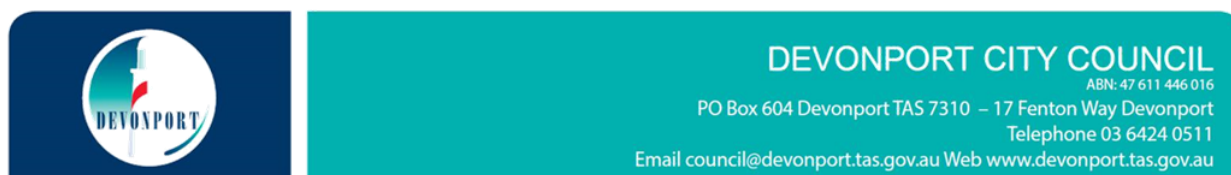
- (b) When will these repairs be undertaken to an acceptable standard and will this be included in the budget, that you have allocated for this project?
- A. The nature strip will be addressed in Autumn, and a decision will be made on the kerb once Black Spot funding is announced, which is usually in July.

Yours faithfully



Paul West  
**GENERAL MANAGER**





31 January 2018

**In reply please quote:**  
File 32161

Mr Bob Vellacott  
11 Cocker Place  
DEVONPORT TAS 7310

Email: [vellacottrobert@yahoo.com.au](mailto:vellacottrobert@yahoo.com.au)

Dear Mr Vellacott

**QUESTIONS WITHOUT NOTICE – 29 JANUARY 2018 – COUNCIL MEETING**

I refer to the question raised at the 29 January 2018 Council meeting and provide the following responses:

I refer to my Questions on Notice of the 27<sup>th</sup> November 2017.

- Has Council signed a contract with Harris Scarfe in regard to them relocating to the Former Harvey Norman building in Fenton Way? (Ref. Q2)

Response from the General Manager was:-

"The Council is in the final stages of finalising negotiations with Harris Scarfe to relocate from their current location into the property at 17 Fenton Way, Devonport."

My questions Mayor:-

- Q1** Did Council employ P+i the Living City Development Manager to negotiate on your behalf? And – as of this date; have the finalising negotiations now been finalised? And if they have not when is it expected the negotiations will be finalised?
- A.** P+i is Council's Development Manager assisting with all facets of the LIVING CITY project including the negotiations with Harris Scarfe. As previously advised all discussion and negotiations with Harris Scarfe remain confidential. Council will make appropriate announcements in due course.
- Q2** Am I correct in saying as of this date Council is still in the position of not being able to give a definite answer that Harris Scarfe will continue to trade in Devonport?
- A.** As previously advised there has been no indication from Harris Scarfe of any plans by them to leave Devonport.



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If you cannot give a definite answer: then apparently the author of the Horwath Living City Hotel Report was given incorrect information because the report categorically states on page 8 "The existing Harris Scarfe store is relocating into the retail precinct, releasing the land for Stage 3." (Incidentally Stage 3 has become phase 2 ie the site for the proposed Waterfront Hotel.) AND

Who gave the information to Horwath that Harris Scarfe is (and I emphasise the word "IS") relocating into the retail precinct?

**A.** The information included in the Horwath Living City Hotel Report was based on information provided to them through Council and its Development Managers P+i Group. The intention has always been and remains Council's objective, to see Harris Scarfe relocate into the former Harvey Norman Building.

**Q3** From documentation and response given so far, the ongoing negotiations with Harris Scarfe in regard to their possible purchase or leasing of the former Harvey Norman premises, resulting from the contract with Fairbrother Pty Ltd to possibly purchase the Best Street site and construct an hotel, it appears **not** to have been carried out in, among other things, a prudent and businesslike manner so as to ensure – (a) Harris Scarfe will continue trading in Devonport and in a way to ensure the best possible outcome for the sale or lease of the Fenton Way property. And (b) the sale of the land required for the Waterfront Hotel.

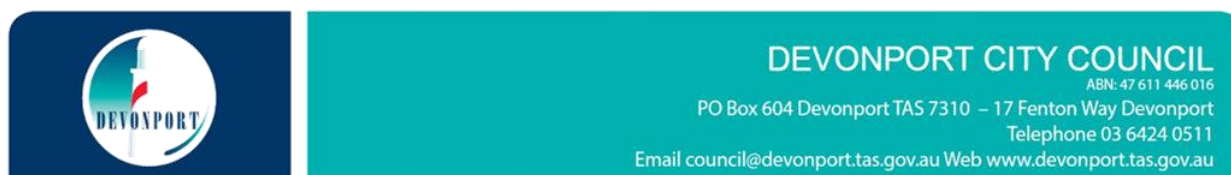
Would Council agree the overall negotiation so far should have been carried out in a more professional manner?

**A.** No.

Yours sincerely



Paul West  
**GENERAL MANAGER**



31 January 2018

**In reply please quote:**  
 File No. 29120/32161

Mr Malcolm Gardam  
 4 Beaumont Drive  
 MIANDETTA TAS 7310

Email: [mgardam@outlook.com.au](mailto:mgardam@outlook.com.au)

Dear Mr Gardam

#### QUESTIONS WITHOUT NOTICE – 29 JANUARY 2018 – COUNCIL MEETING

I refer to your questions raised at the 29 January 2018 Council meeting and provide the following responses:

**Q1** With reference to budgets identified under heading of "Parking" on page 29 of the Annual Plan 2017, and in consideration of the following, will Council please respond to the statements and questions as follows:

- (a)** From the numbers stated Council is surprisingly expecting an income reduction of \$252,900 (down from \$2,692,500 in 2017 to \$2,439,600 in 2018) and an increase in expenses of \$159,678 (up from \$1,468,684 in 2017 to \$1,627,684 in 2018) please provide individual budgeted amounts for comparison between the stated elements being:
- Provision and management of parking meters;
  - Monitoring and enforcement of parking time zones;
  - Provision and management of car parks; and
  - Animal licencing; plus
  - Carve out of budget amounts in both years separately for each of parking fees and parking fines?

#### Response

The below table outlines the budget details for the last two financial years:

Activity	2018 Budget	2017 Budget	Variance
Parking Fees – Meters	600,000	625,000	(25,000)
Parking Fees – Car Parks	763,000	840,000	(77,000)
Parking Fees – New CBD Car Park	151,600	-	151,600
Permits & Reserved Sites <sup>1</sup>	125,000	275,000	(150,000)



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Fines <sup>2</sup>	480,000	652,500	(172,500)
MPES Fines Recovered	320,000	300,000	20,000
<b>Total Budgeted Income</b>	<b>\$2,439,600</b>	<b>\$2,692,500</b>	<b>\$252,900</b>
<b>EXPENSES</b>			
Employee Benefits	306,514	295,020	11,494
Materials & Services	262,691	238,719	23,972
Depreciation	235,600	145,900	89,700
Levies & Taxes	185,902	169,949	15,953
Bad Debt Expenses	200,000	200,000	0
Internal Charges <sup>3</sup>	436,977	418,418	18,559
<b>Total Budgeted Expenses</b>	<b>\$1,627,684</b>	<b>\$1,468,006</b>	<b>\$159,678</b>
<b>Net Operating Surplus</b>	<b>\$811,916</b>	<b>\$1,224,494</b>	<b>\$412,578</b>

1 Permits & Reserved Sites – budget adjusted to reflect actuals received the previous financial year.

2 Fines – reduced due to expected increase in 'pay-as-you-leave' options.

3 Internal Charges includes all overheads plus the costs of maintenance.

The budget information for Animal & Regulatory Control is as follows:

Activity	2018 Budget	2017 Budget	Variance
Fees – Registrations	120,000	110,000	10,000
Fees – Licences	7,500	7,500	-
Fines	30,000	30,000	-
<b>Total Budgeted Income</b>	<b>\$157,500</b>	<b>\$147,500</b>	<b>\$10,000</b>
<b>EXPENSES</b>			
Employee Benefits	74,686	85,929	(11,243)
Materials & Services	115,700	126,000	(10,300)
Bad Debts	4,500	4,500	-
Internal Charges <sup>3</sup>	19,800	19,565	235
<b>Total Budgeted Expenses</b>	<b>\$214,686</b>	<b>\$235,994</b>	<b>(\$21,308)</b>
<b>Net Operating Surplus / (Deficit)</b>	<b>(\$57,186)</b>	<b>(\$88,494)</b>	<b>(\$11,308)</b>

- (b) Noting that the Living City funding model produced by P+i and endorsed by Aldermen, Stated "The model assumes year 1 net rental from the food pavilion and multi-purpose building totalling \$576,000 **along with net car parking revenue of \$987,000. Of the three main revenue sources within the model, car parking revenue is considered most predictable, as it is based on a long history of usage and data from adjacent sites.**" On ratepayer questioning the Deputy General Manager advised that this figure represented the total parking budget and not just for the new carpark and had been reduced to \$760,000 with further reduction possible; accordingly, **why such a negative reduced budget approach amounting to less parking at a higher cost to manage**

previously described as the “most predictable” budget item, along with Council representing to ratepayers that visitations will increase parking as a result of Living City with the new carpark supposedly providing an attractive ease of parking for the existing CBD and supported by DCCI statement that the carpark has been needed for 20 years?

**Response**

Council has previously outlined that the funding model has been used to inform Council's long term financial plan (LTFP), which is the more current and relevant document to give a wholistic view of Council's financial position including the impacts from LIVING CITY.

It is the LTFP that informs budget decisions as part of the annual budget deliberations. As part of this process Aldermen have indicated a desire to minimise Council's reliance on parking revenue, by keeping fees to a minimum and providing payment options which reduce the likelihood of fines (ie introduction of 'Pay-As-You-Leave' and 'Easypark' technologies). Given Council's sound financial position, recent budgets have been able to accommodate this approach, which in return has seen a reduction in parking revenue from previous actuals and earlier forecasts.

Additional parking expenditure has primarily related to fixed operational costs such as depreciation, levies and taxes associated with the new carparks.

- Q2** Noting that the Devonport Australia Day Awards and Citizenship Ceremony was staged in Providore Place last Thursday evening 25<sup>th</sup> January, instead of the more regularly used DEC, and as Council has repeatedly stated that Providore Place (Devonport) Pty Ltd is contracted under a head lease agreement to manage the complex, **will Council confirm that no form of remuneration, monetary or in kind under contract or otherwise, has or is to be made to the head lessee associated with the event?**

**Response**

The Australia Day event was held in Providore Place this year as the DECC is unavailable due to the renovation works currently underway. There was no hire fee for the use of the space. Payment for provision of the food served and reimbursement for set-up costs undertaken by Providore Place staff was incurred.

- Q3** Regarding the Southern Wild Distillery advertising in the Best Street – Fenton Way front window of the Council Chambers can Council please advise as to the following:
- (a)** Is this part of a Council initiative to provide advertising space for local businesses and if so where was it advertised/promoted; and
  - (b)** What was the selection criteria and who determined the successful business(es); and
  - (c)** Is it paid space or ultimate mates rates for new or just businesses involved in the ratepayer-funded Living City Stage 1 commercial adventure; and
  - (d)** Can we expect to see access to this space continue with other businesses such as southern Rooke Street's Verona (Coffee Bar & Roasting House) and Express Craft Beer (Bar & Beer Store) from the Hill Street complex?

**Response**

As part of the lease of the former loading dock by Southern Wild Distillery for its temporary occupation it was agreed that they would be able to provide a display of their business in the sectioned off window facing Best Street and Fenton Way as a 'way finding'

opportunity. SWD only recently installed the display which they have been entitled to have there since commencing to trade from the former loading dock.

There is no intention of providing the space to other businesses for similar displays.

Yours sincerely



Paul West  
**GENERAL MANAGER**



DEVONPORT CITY COUNCIL

ABN: 47 611 446 016

PO Box 604 Devonport TAS 7310 – 17 Fenton Way Devonport

Telephone 03 6424 0511

Email [council@devonport.tas.gov.au](mailto:council@devonport.tas.gov.au) Web [www.devonport.tas.gov.au](http://www.devonport.tas.gov.au)

31 January 2018

**In reply please quote:**

File 31740

Mr Douglas Janney  
23 Watkinson Street  
DEVONPORT TAS 7310

Via email: [djanney39@gmail.com](mailto:djanney39@gmail.com)

Dear Mr Janney

**QUESTION WITHOUT NOTICE – 29 JANUARY 2018 – COUNCIL MEETING**

I refer to your question raised at the 29 January 2018 Council meeting and provide the following response:

At the commencement of a Council meeting and the Council Committee meetings there is a **Welcome to Country** however there are no words about the **Nation Australia**.

**Q** Why the omission about the **Nation Australia** and when will this omission be rectified?

**Response**

The Acknowledgement of Country included on Council's meeting agenda is based on the protocols recommended by the Tasmanian State Government.

There is no intention at this time to alter the Acknowledgement to Country.

Yours sincerely

Paul West  
**GENERAL MANAGER**



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### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

File: 27452 D501458

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

Questions received from Mr Bob Vellacott on 9 February 2018 are **reproduced as attachment 1.**

#### **DISCUSSION**

In relation to the questions received 9 February 2018, Mr Vellacott was advised of the following:

**Q1** Providore Place is a private company why is DCC advertising it?

#### **Response**

Council 'shared' a post on its Facebook page. Council as the sponsor of LIVING CITY is certainly keen to see it succeed. The food pavilion is a major part of the LIVING CITY strategy and whilst it has contracted the operations of the pavilion, Council remains committed to seeing the venue reach its full potential.

**Q2** Was one of the requirements of the head lease agreement inserted into the secret contract under instructions of Council's Living City Manager: - P +i that DCC shall provide free advertising for Providore Place?

#### **Response**

No.

**Q3** As Providore Place is owned in part by those with interests in P+i is this not an example of a case of a blatant conflict of interest and or special favours?

#### **Response**

No.

**Q4** Who instructed Council's staff member to post the adverts on DCC's Face Book Page?

#### **Response**

Nobody. Council's Communications Officer is responsible for managing the official Facebook page and 'shared' the post.

**Q5** If Council continues to promote Providore Place will the same privilege be extended to say The Don and the Showground Markets?

#### **Response**

Council has 'shared' several events on the Devonport Events Facebook Page and will continue to do so into the future. It will however refrain from 'sharing' events (unless they are specifically organised by Council) on the official Devonport City Council Facebook Page.

**Q6** Was the Local Government Act "cherry picked" by Council and a clause was conveniently found that permits Council to promote private companies, free of charge, on their official face book site?

#### **Response**

No.



**MR RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

Question received from Mr Rodney Russell on 16 February 2018 is **reproduced as attachment 2.**

**DISCUSSION:**

In relation to the questions received 16 February 2018, it is proposed that Mr Russell be advised of the following

**Response**

The following information was provided to Council at its 29 January 2018 meeting:

*Council can confirm that its staff have not disposed of any waste at this site.*

*In relation to private contractors, when Council enters into contracts to undertake works, it is a requirement that the contractor becomes responsible for all aspects of the works including if necessary, disposal of any excess material. It is expected that the contractor will have all necessary approvals in relation to the locations where materials are disposed.*

*As a result of the recent events with the particular property at Forth, Council is aware that there was at least one other contractor undertaking works for Council that was also accessing this property for the disposal of inert materials. As soon as this was identified the contractor was advised to cease using the property immediately.*

The only additional activity since this update is that Council was requested by the Environmental Protection Agency (EPA) to provide the Authority with information regarding the contractual requirements relating to the disposal of the material by the contractor.

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

Questions received from Mr Malcolm Gardam on 18 February 2018 are **reproduced as attachment 3.**

**DISCUSSION**

In relation to the questions received 18 February 2018, it is proposed Mr Gardam be advised of the following:

- Q1.** Can council please **advise as to its current vision and benefits to ratepayers (real, measurable and at least realistic) from continuing to fund the loss-making Julie Burgess** in light of demonstrated annual losses and a failed business plan after more than 4 years of being in operation.

**Response**

The Executive Summary of the Julie Burgess Business Plan (June 2017) outlines Council's current position in supporting the vessel:

- Using the *Julie Burgess* for sailing experiences and interpreting the history of the vessel is consistent with the recommendations of the SGL Tourism Development Strategy for Devonport that states “*Devonport would greatly benefit from using its rich maritime heritage, including the crossing of Bass Strait to supply Melbourne and the mainland, to develop experiences for both the local and visitor markets.*”
- The local market is limited by population size so the main market will need to be visitors.
- The Spirit of Tasmania makes Devonport a significant gateway and the Tasmania Visitor Survey estimates 297,682 visitors come to Devonport each year. This is good visitor base with the potential to increase market share.
- Visitor patterns will not change if there is no reason to do so. Change can be achieved through developing a range of experiences to engage the visitor in the city, the north coast, the food and produce and its stories.
- For the *Julie Burgess* to be successful as an attraction it will need to appeal to both men and women. The local friends and relatives of visitors will need to know about the vessel and be positive about it. The experience will need to be promoted when and where visitors plan their trip. It must be easy to access and be talked about by touring visitors so referrals become an integral part of the promotional mix.
- The mixed product offering including other locations is recommended, this recommendation is influenced by the sailing environment of the Mersey River not being a large body of water and requiring the vessel to sail locally in unprotected waters, due to weather are often to rough. This model allows for taking full opportunity of good local weather for short sails and using the longer voyages to sail in more protected waters.
- There is the potential to develop the *Julie Burgess* as an educational resource for schools and to provide sail training for young people and adults.
- The operational plan has been based on a nine-month sailing season, with a program based on standard short trips, specialty shorter sails and semi-regular multi day sailings. The operational analysis shows that this mixed experienced based product offering with varying price points trips has the potential to generate an operating surplus over time.
- If the vessel does not sail at all, the annual operating costs at a conservative estimate will be in the order of \$70,000, which includes depreciation and insurance.
- Achieving viability of the *Julie Burgess* is a challenging project that will not be achieved within the next 12 months. However, with commitment, resources and working together it is possible to achieve a break even position in a number of years using an experienced based mixed product offering of multi day voyages, specialty short sailings, standard 2 hour trips and special appearances.

On the current agenda there is a report which outlines costs of recent repairs to the vessel. As part of this report Council is advised that a review of the *Julie Burgess* Business Plan is currently being undertaken with the intention that an updated document will be provided to Council for consideration. This may assist Council in responding to the question posed.

**Q2.** During the last Federal election, specifically the Senate elections, it was reported that Mayor Martin continued to be paid while taking a leave of absence, based on entitlement to time worked up ("time off in lieu" - TOIL); accordingly can council please clarify the following:

- a) Does Council have a Policy covering the management of TOIL, specifically as applicable to Aldermen, salaried staff and wages employees ; and
- b) How does Council record entitlements to TOIL to ensure claims and payments are verifiable; and
- c) What is the agreed number of hours (weekly or annual) expected to fulfil the role of mayor commensurate with the remuneration package and if none stipulated what are the "reasonable number of hours per month" expected of the position?

**Response**

There are no legislated requirements relating to the number of hours that elected members are expected to dedicate to the role of Mayor and/or Alderman. The commitment of time to undertaking the role is entirely up to the individual. Council provides a regular report to the Governance, Finance and Community Services meetings of the attendance at meeting and workshops by Aldermen.

Clause 4.2.2 of the Devonport City Council Enterprise Agreement covers the arrangements which apply to TOIL provisions for staff.

**Q3.** From the report in The Advocate (Feb. 9) stating "*Alderman Martin said he would remain on leave from his mayoral duties with deputy mayor, Alderman Annette Rockliff, acting as mayor until the next council election.*" can council please confirm:

- a) During the period up until the 9<sup>th</sup> March 2018, and specifically in relation to Mayor Martin:
  - i. Is Mayor Martin going to be paid and if so to what extent and on what basis considering he will be an active Senator during this time and previously self-promoted as a full time Mayor; and
  - ii. Will Mayor Martin retain the council supplied vehicle or will this transfer to the Acting Mayor; and
  - iii. Retain access to council chambers, staff and records, and
  - iv. Attend council workshops, closed sessions and functions that are only by invitation, and if so in what capacity?

**Response**

Council is required to comply with Section 340A of the *Local Government Act 1993* in relation to the payment of allowances which states:

**340A. Allowances**

- (1) A councillor is entitled to prescribed allowances.
- (2) A mayor and deputy mayor are entitled to prescribed allowances in addition to any allowances referred to in [subsection \(1\)](#).
- (2A) Allowances are to be paid in arrears.
- (3) A councillor, mayor or deputy mayor may decide not to receive part or all of an allowance.
- (4) A decision under [subsection \(3\)](#) is to be by written notice to the general manager of the relevant council.
- (5) Councillors who are suspended under [section 28ZI\(2\)\(e\)](#) or [section 215\(5\)](#) are not entitled to any allowances during the period of suspension.
- (6) A person who must not perform any function or exercise any power of a councillor under [section 339C](#) is not entitled to any allowances.

The *Local Government (General) Regulations 2015* at section 42 also deals with the process for the payment of allowances to elected members.

At the time of preparing the agenda the Mayor had not advised of any request for changes to his entitlement for payment of the allowance. The Council vehicle allocated to the Mayor is now in the possession of the Acting Mayor.

- b) Is Mayor Martin going to resign as an Alderman as of 9<sup>th</sup> March 2018; and

**Response**

That is a matter for the Mayor. There is no legislative requirement that requires him to do so.

- c) If so, and while it appears that from the deliberate actions of council to avoid a mayoral election there shall not be a recount for the casual vacancy, thereby denying an otherwise prior eligible candidate the opportunity to sit on council until the October 2018 elections; **will council advise as to the estimated cost of a recount associated with a casual vacancy on council** – e.g. Justin Keay recount that saw Tammy Milne elected to Council?

**Response**

In the case of the resignation of a person who holds the position of mayor there is to be a by-election for both the position of mayor and alderman. There is no ability for a recount to be undertaken.

The *Local Government Act 1993* at section 44 outlines that if the office of mayor becomes vacant for any reason, the deputy mayor is to act in that office until the certificate of election for the by-election for that vacancy is issued; or if the vacancy is within 6 months before notice of the election is to be given, until the certificate of election for that election is issued.

- d) **During his absences to date has Mayor Martin been paid or received reimbursements and if so to what extent**, including interstate trips related to the High Court ruling and other political focused matters requiring his attention associated with his being declared eligible as a Senator elect and subsequently taking up the position?

**Response**

All payments to elected members, including the Mayor are detailed in a report provided to the Governance, Finance and Community Services meeting. There have been no claims for reimbursements that are associated with his being declared eligible as a Senator.

**Q4.** For about two (2) years now Council, its Development Manager and named businesses have been representing that those businesses are the first tenants for Providore Place, however all have repeatedly refused to acknowledge when formal lease agreements have been signed (if at all) based on confidentiality; accordingly as several Advocate articles have promoted through stories and images that Southern Wild Distillery and Cultivate Pty Ltd (Ben Milbourne) are definite starters can Council at least confirm:

- a) Is Ben Milbourne's restaurant going to be fronting onto Oldaker Street as depicted in newspaper articles; and

**Response**

No – the tenancy allocated to Ben Milbourne's restaurant is on the south-east corner of the Pavilion nearest the car park and proposed market square.

- b) Where is Southern Wild Distillery going to be located in the building; and

**Response**

Southern Wild Distillery's tenancy is on the north-east corner and fronts Oldaker Street.

- c) Is the cooking school going to be located on the purpose-built mezzanine floor; and

**Response**

The proposed Cooking School is to be located on the mezzanine floor on the north-west corner.

- d) Assuming that the two named anchor tenants are secured under lease agreements, and noting that the Development Manager was quoted on **8<sup>th</sup> November 2015**, as *"Mr Hirst said the interest is coming from restaurants that focus on using local produce."* and *"Mr. Hirst said that restaurant operators in the food pavilion would be announced over the next few months."* with Ben Milbourne reported on the **16<sup>th</sup> January 2018** as finally announcing *"...we first took on the lease at Providore Place two years ago...."*; **so when does Council expect to announce as to who the other two anchor tenants are;** and

**Response**

As previously advised Council has entered into a head lease with Providore Place Pty Ltd – it is their responsibility to make any announcements regarding the securing of tenants.

- e) **Does council have an expectation and preference that the remaining anchor tenants not have a direct commercial linkage to the shareholders of Providore Place and Projects + Infrastructure as Head Lessee and council appointed Development Manager** with expenditure of an \$850k provisional sum for tenancy fitouts, as advised by council, being on recommendations from the Head Lessee?

**Response**

Council does not have either an expectation or a preference regarding the anchor tenants. The fit-out allowance of \$850K is to be allocated to items which will become assets belonging to the Council.

- f) Noting that following the pre-Christmas delays it has previously been reported that the two supposed secured tenants will be established and operating from Providore Place somewhere between January and March 2018, **is council still expecting the two “secured tenants” to be established and operating within that extended timeframe?**

**Response**

Council is keen to see the anchor tenants operating at the earliest time. It is expected that an update will be provided to Council as works progress on the fit-outs as to when they may be operational.

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

Questions received from Mr Bob Vellacott on 19 February 2018 are **reproduced as attachment 4.**

**DISCUSSION**

In relation to the questions received 19 February 2018, it is proposed Mr Vellacott be advised of the following:

- Q1.** The 2017 DCC Annual Report stated that an amount of \$1,993,626 was paid to Projects and Infrastructure Holdings P/L (P+i) the Living City Development Managers.

No details were given to ratepayers and council has indicated it is not allowed because the contract with P+i is commercial in confidence. *(Or in plain simple English another Living City secret deal)*

Do the payments to date for 2017-2018 FY paid to P+i indicate that this year's final payment will be similar to the 2016-2017 total amount of \$1,993,626 and if not what is the estimated total payments expected to be?

**Response**

All payments from Council to P+i for 2017/18 will be disclosed in Council's 2018 annual report.

- Q2.** During the week commencing 6th November 2017 Council sponsored, as I understand, several workshops for CBD retailers and other interested persons.

- (a) What was the total cost of the workshops?
- (b) Who received the payments?
- (c) Has a report been prepared on the outcome and is it available?

**Response**

The only costs associated with the workshops related to staff time and internal room hire charges, no external payments were made. The workshops were held to assist with the development of a Devonport retail strategy. The Strategy is currently being drafted and a copy will be made public as part of a future Council agenda.

- Q3.** (a) As of this date has negotiations with Harris Scarfe re their future relocation to Fenton Way been completed and a contract drawn up to either lease or purchase the property?
- (b) Apart from P+ i who from Council has been involved in the negotiations with Harris Scarfe?
- (c) I note from previous responses to questions about the Food Pavilion that Council did not seek legal advice in regard to the head lease

agreement with Providore Place before signing. Will Council obtain legal assistance before signing any contract re the leasing or selling of Council property at 17 Fenton Way? - Or will the contract be based on others used previously?

**Response**

As previously advised on numerous occasions, Council's negotiations with Harris Scarfe remain confidential and appropriate announcements will be made in due course. As with any matter Council will obtain legal advice and assistance as necessary.

**ATTACHMENTS**

1. LC Providore Place DCC Face Book free adverts Jan 2018 - Mr Vellacott
2. Item Place On Open Agenda - Illegal Dumping Of Waste - Hospital Demolition
3. Questions on Notice - Council Meeting - 26 February 2018 - Mr Malcolm Gardam
4. Questions on Notice - Council Meeting - 26 February 2018 - Mr Bob Vellacott

**RECOMMENDATION**

That Council in relation to the correspondence received from:

- a. Mr Bob Vellacott dated 9 February 2018 note the responses provided; and
- b. Mr Rodney Russell, Mr Malcolm Gardam and Mr Bob Vellacott endorse the responses proposed and authorise their release.

Author:	April Nelson	Endorsed By:	Paul West
Position:	Executive Assistant - Governance	Position:	General Manager

ROBERT .B. (BOB) VELLACOTT (Ratepayer)  
11 COCKER PLACE DEVONPORT 7310

LC Providore Place Qs re DCC Face Book free adverts Jan Feb 2018

THE GENERAL MANAGER  
MR PAUL WEST  
DEVONPORT CITY COUNCIL  
FENTON WAY DEVONPORT 7310

To Mayor and Aldermen,

The following is copy of an advertisement that has appeared on Councils Official Face book page and Councils response to a question asked by Jeanie Angeline Drury.

I would appreciate if you would respond to my questions and inform will this advertisement continue to be posted on the DCC Facebook page

market time...



JAN 28 2018

Interested

[Providore Place Sunday Market](#)

Today 10:00 · [Providore Place](#) · Devonport, TAS

660 people interested

Also seen on DCC face book am 09/02/ 2018

[Jeanie Angeline Drury](#) How often will markets be and who organises tie stall holders please

[Devonport City Council](#) Hi Jeanie, [Providore Place organises](#) the markets, you're best to contact them via their facebook page or website:  
[www.providoreplace.com.au](http://www.providoreplace.com.au)  
[www.facebook.com/providoreplace](https://www.facebook.com/providoreplace)

Q . As Providore Place is a private company why is DCC advertising it?

A. Council 'shared' a post on its Facebook page. Council as the sponsor of LIVING CITY is certainly keen to see it succeed. The food pavilion is a major part of the LIVING CITY strategy and whilst it has contracted the operations of the pavilion, Council remains committed to seeing the venue reach its full potential.

Q .Was one of the requirements of the head lease agreement inserted into the secret contract under instructions of Council's Living City Manager: - P +i that DCC shall provide free advertising for Providore Place ?

A. No.

Q . As Providore Place is owned in part by those with interests in P+i is this not an example of a case of a blatant conflict of interest and or special favours?

A. No.

Q . Who instructed Council's staff member to post the adverts on DCC's Face Book Page?



A. Nobody. Council's Communications Officer is responsible for managing the official Facebook page and 'shared' the post.

Q. If Council continues to promote Providore Place will the same privilege be extended to say The Don and the Showground Markets?

A. Council has 'shared' several events on the Devonport Events Facebook Page and will continue to do so into the future. It will however refrain from 'sharing' events (unless they are specifically organised by Council) on the official Devonport City Council Facebook Page.

Q. Was the Local government Act " cherry picked " by Council and a clause was conveniently found that permits Council to promote private companies ,free of charge , on their official face book site?

A. No.

Please provide responses direct to me and also include in the Feb 2018 DCC Agenda  
Bob. Vellacott. 09 Feb. 2018

16/02/2018 D514288

15-2-2018

Rodney Russell,  
225 Steele St,  
Devonport.To the Mayor,  
Aldermen and  
SM, DCC

Could DCC at the next ordinary Council meeting inform ratepayers of any further developments pertaining to the illegal dumping of waste from the old hospital demolition.

Could this item be placed in the open part of the agenda to enable ratepayers to hear any discussion from aldermen.

Rodney Russell.

18<sup>th</sup> February 2018

Devonport City Council  
17 Fenton Way  
DEVONPORT TAS 7310

Malcolm Gardam  
4 Beaumont Drive  
MIANDETTA TAS 7310  
(Mobile No: 0417 355 813)

**ATTENTION: MR. PAUL WEST – GENERAL MANAGER (MAYOR & ALDERMEN)**

**RE: GOVERNANCE QUESTIONS ON NOTICE FOR ORDINARY MEETING 26/02/18**

Dear Sir,

The following questions relate to seeking clarification as to specific elements of Council governance.

In earlier correspondence I asked the following sub-question Q3.(e) relating to the Julie Burgess.

**Previous Q3.** - The recent major repairs have been described by Council as “future proofing” the vessel; accordingly, can Council please advise as to the following:

- e) Can council reiterate the supposed benefits of the Julie Burgess and costly ongoing “future proofing” to ratepayers other than provide a floating decoration to the projected Marina if ever built?

Council responded with “*This question has been taken as a comment.*”

It was intended that the previous request was a serious question and accordingly is rephrased as follows:

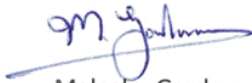
- Q1.** Can council please **advise as to its current vision and benefits to ratepayers (real, measurable and at least realistic) from continuing to fund the loss-making Julie Burgess** in light of demonstrated annual losses and a failed business plan after more than 4 years of being in operation.
- Q2.** During the last Federal election, specifically the Senate elections, it was reported that Mayor Martin continued to be paid while taking a leave of absence, based on entitlement to time worked up (“time off in lieu” - TOIL); accordingly can council please clarify the following:
  - a) Does Council have a Policy covering the management of TOIL, specifically as applicable to Aldermen, salaried staff and wages employees ; and
  - b) How does Council record entitlements to TOIL to ensure claims and payments are verifiable; and

- c) What is the agreed number of hours (weekly or annual) expected to fulfil the role of mayor commensurate with the remuneration package and if none stipulated what are the “reasonable number of hours per month” expected of the position?
- Q3. From the report in The Advocate (Feb. 9) stating “*Alderman Martin said he would remain on leave from his mayoral duties with deputy mayor, Alderman Annette Rockliff, acting as mayor until the next council election.*” can council please confirm:
- a) During the period up until the 9<sup>th</sup> March 2018, and specifically in relation to Mayor Martin:
- i. Is Mayor Martin going to be paid and if so to what extent and on what basis considering he will be an active Senator during this time and previously self-promoted as a full time Mayor; and
  - ii. Will Mayor Martin retain the council supplied vehicle or will this transfer to the Acting Mayor; and
  - iii. Retain access to council chambers, staff and records, and
  - iv. Attend council workshops, closed sessions and functions that are only by invitation, and if so in what capacity?
- b) Is Mayor Martin going to resign as an Alderman as of 9<sup>th</sup> March 2018; and
- c) If so, and while it appears that from the deliberate actions of council to avoid a mayoral election there shall not be a recount for the casual vacancy, thereby denying an otherwise prior eligible candidate the opportunity to sit on council until the October 2018 elections; **will council advise as to the estimated cost of a recount associated with a casual vacancy on council** – e.g. Justin Keay recount that saw Tammy Milne elected to Council?
- d) **During his absences to date has Mayor Martin been paid or received reimbursements and if so to what extent**, including interstate trips related to the High Court ruling and other political focused matters requiring his attention associated with his being declared eligible as a Senator elect and subsequently taking up the position?
- Q4. For about two (2) years now Council, its Development Manager and named businesses have been representing that those businesses are the first tenants for Providore Place, however all have repeatedly refused to acknowledge when formal lease agreements have been signed (if at all) based on confidentiality; accordingly as several Advocate articles have promoted through stories and images that Southern Wild Distillery and Cultivate Pty Ltd (Ben Milbourne) are definite starters can Council at least confirm:
- a) Is Ben Milbourne’s restaurant going to be fronting onto Oldaker Street as depicted in newspaper articles; and
  - b) Where is Southern Wild Distillery going to be located in the building; and
  - c) Is the cooking school going to be located on the purpose-built mezzanine floor; and

- d) Assuming that the two named anchor tenants are secured under lease agreements, and noting that the Development Manager was quoted on **8<sup>th</sup> November 2015**, as *"Mr Hirst said the interest is coming from restaurants that focus on using local produce."* and *"Mr. Hirst said that restaurant operators in the food pavilion would be announced over the next few months."* with Ben Milbourne reported on the **16<sup>th</sup> January 2018** as finally announcing *"....we first took on the lease at Providore Place two years ago....."*; **so when does Council expect to announce as to who the other two anchor tenants are;** and
- e) **Does council have an expectation and preference that the remaining anchor tenants not have a direct commercial linkage to the shareholders of Providore Place and Projects + Infrastructure as Head Lessee and council appointed Development Manager** with expenditure of an \$850k provisional sum for tenancy fitouts, as advised by council, being on recommendations from the Head Lessee?
- f) Noting that following the pre-Christmas delays it has previously been reported that the two supposed secured tenants will be established and operating from Providore Place somewhere between January and March 2018, **is council still expecting the two "secured tenants" to be established and operating within that extended timeframe?**

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

Yours sincerely,



Malcolm Gardam

CC: Mayor & Aldermen

LC RBV QoN for 26 Feb 2018 send

BOB. VELLACOTT (RATEPAYER)  
11 COCKER PLACE DEVONPORT 7310

QUESTIONS ON NOTICE FOR DCC MEETING 28TH. FEB. 2018

**Question 1.**

The 2017 DCC Annual Report stated that an amount of \$ 1,993,626 was paid to Projects and Infrastructure Holdings P/L (P+i) the Living City Development Managers.

No details were given to ratepayers and council has indicated it is not allowed because the contract with P+i is commercial in confidence. *(Or in plain simple English another Living City secret deal)*

Do the payments to date for 2017-2018 FY paid to P+i indicate that this year's final payment will be similar to the 2016 -2017 total amount of \$1,993,626 and if not what is the estimated total payments expected to be ?

.....

**Question 2.**

During the week commencing 6th November 2017 Council sponsored, as I understand, several workshops for CBD retailers and other interested persons.

- (a) What was the total cost of the workshops?
- (b) Who received the payments?
- (c) Has a report been prepared on the outcome and is it available?

.....

**Question 3**

- (a) As of this date has negotiations with Harris Scarfe re their future relocation to Fenton Way been completed and a contract drawn up to either lease or purchase the property?
- (b) Apart from P+ i who from Council has been involved in the negotiations with Harris Scarfe ?
- (c) I note from previous responses to questions about the Food Pavilion that Council did not seek legal advice in regard to the head lease agreement with Providore Place before signing .Will Council obtain legal assistance before signing any contract re the leasing or selling of Council property at 17 Fenton Way? - Or will the contract be based on others used previously?

Please include all above and your responses in the agenda for the 26<sup>th</sup> Feb 2018

*R.B. Vellacott*

**3.2.3 Question without notice from the public**

**3.3 QUESTIONS ON NOTICE FROM ALDERMEN**

At the time of compilation of the agenda no questions on notice from Aldermen were received.

### **3.4 NOTICES OF MOTION**

#### **3.4.1 AUSTRALIA DAY 2019 - NOTICE OF MOTION - ALD G F GOODWIN**

**File: 34913 D512267**

In accordance with Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*, a notice of motion has been received from Alderman G F Goodwin.

#### **ATTACHMENTS**

Nil

#### **MOTION**

"That Devonport Council celebrate Australia Day 2019 and onwards, for its citizens on Australia Day 26 January - not the day before."

#### **SUPPORT**

There were no supporting comments provided.

#### **OFFICER'S COMMENTS**

The Australian Day Citizenship and Awards ceremony has been held on the evening of 25 January for the past two years. The decision to hold the events on the day before Australia Day was formally made by Council at the time of considering the nominations for the formal awards.



#### **4.0 PLANNING AUTHORITY MATTERS**

There are no items in this agenda to be considered by Council in its capacity as a Planning Authority.

## 5.0 REPORTS

### 5.1 TENDER REPORT CF0020 SUPPLY & DELIVERY OF A REAR LOAD COMPACTION UNIT AND TRUCK

File: 33965-02 D512993

#### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.5.2 Ensure comprehensive financial planning to meet sustainability requirements

#### SUMMARY

This report seeks Council's approval to award the purchase of a rear load compaction unit and truck from Bucher Municipal Pty Ltd.

#### BACKGROUND

This report considers tenders received for "Reactive Garbage Truck Replacement" listed within the 2017/18 capital expenditure budget.

The replacement of the existing rear loading garbage truck was included in the 2017/18 capital expenditure budget and in October 2017, an update regarding the condition of the existing garbage truck was reported to Council. Council determined (Min. No. 217/17 refers):

*".....the rear loading garbage truck update be received and noted and that Council endorse proceeding with the procurement of a replacement rear loading garbage truck."*

This report is a result of that resolution.

#### STATUTORY REQUIREMENTS

Council is required to comply with Section 333 of the *Local Government Act 1993* and its adopted Code for Tenders and Contracts when considering awarding tenders.

#### DISCUSSION

The existing garbage truck is used to collect waste and cardboard from commercial properties. The truck also collects weekly waste from some approved residential units and litter bins. The truck operates six days per week for a minimum of 42 hours of operating time per week.

The existing garbage truck has a 'low entry door'. Since the industry standards changed and it is no longer acceptable for operators to ride on the back of the truck the requirement for a 'low entry door' is an essential specification. This allows for the second operator to easily enter and exit the cab between collection points, whilst the driver remains in the cab. It is estimated that the second operator would enter and exist the cab in excess of 100 times per shift.



Photo 1: Photo of the 'low entry door' on the existing garbage truck

The existing garbage truck will be sold as a trade-in to the successful tenderer.

In accordance with Council's Code of Tenders and Contracts, a Tender Planning and Evaluation Committee was formed to evaluate the tenders received.

The Tender Planning and Evaluation Committee have considered the tenders against each of the selection criteria, these being:

- Tendered Price
- Essential Specification
- Operators Assessment

The Tender Planning and Evaluation Committee minutes were prepared, and confidential copies can be made available upon request by Aldermen.

Quotations were invited through the 'Local Buy' purchasing initiative. This is a collaborative purchasing arrangement that provides competitive tendering on a large scale. This arrangement is undertaken in accordance with the procurement principles which are required by the *Local Government Act 1993*.

Tenders were received from seven companies. Two tenders received were conforming tenders meeting all the essential specifications required. The tenders are summarised in table 1.

TABLE 1

No.	Tender	Status	Tender Price (ex GST)	Trade in Price (ex GST)	Tender Price (ex GST)
1	Fuso Garwood	Non - Conforming	\$259,950	\$63,637	\$196,313
2	Bucher Municipal Pty Ltd (Mercedes-Benz)	Conforming meeting all the essential specification requirements	\$351,529	\$73,500	\$278,029
3	Bucher Municipal Pty Ltd (Hino)	Non-Conforming	\$287,186	\$73,500	\$213,686
4	Isuzu (Bucher)	Non-Conforming	\$295,313	\$73,500	\$221,813
5	Isuzu (Superior Pak)	Non-Conforming	\$276,761	\$60,000	\$216,761
6	Iveco	Non-Conforming	\$319,216	\$31,819	\$287,397
7	Mercedes-Benz (Superior Pak)	Conforming meeting all the essential specification requirements	\$337,507	\$40,918	\$296,589

The two tenders received that met all the essential specification requirements tendered a Mercedes-Benz cab chassis. These were the only tenders that included the low entry door for the second operator and it is on this basis that the Mercedes-Benz cab chassis is the preferred truck. Of the two tenders received for Mercedes-Benz cab chassis the tender received from Bucher Municipal Pty Ltd was the lowest of the two.

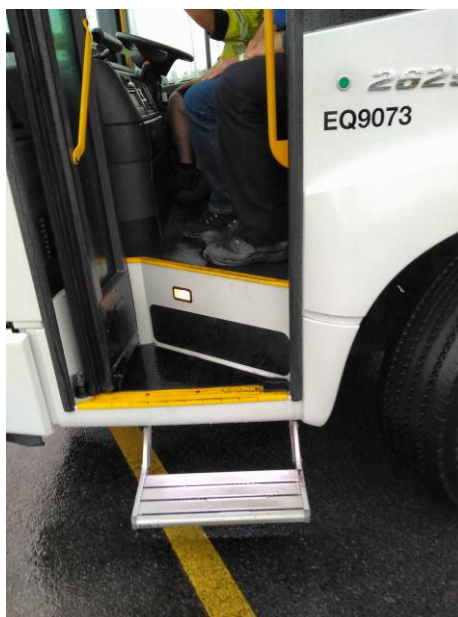


Photo 2: Photo of the 'low entry door' on a Mercedes-Benz Truck

Modifying a truck cab to incorporate the 'low entry door' is not an option. Based on the advice provided from the tenderers, gaining certification for a 'one-off' modification to meet the requirements of the Australian Design Rules will be cost prohibitive. Utilising a truck without certification would be a risk to Council's insurance.

The tender from Bucher was based on a Mercedes-Benz cab chassis fitted with a McDonald Johnson rear load compaction unit. The tenders have been reviewed by the operators and Council's mechanics and the submission by Bucher has been assessed as meeting Council's requirements. As part of this assessment other Australian Councils that run Mercedes-Benz trucks in their garbage fleet were contracted for feedback. Their feedback was positive.

The assessment from the Tender Planning and Evaluation Committee taking into account the tendered prices, the essential specifications and operator's assessments, has determined that the Bucher Municipal Pty Ltd tender meets Council's operational requirements and is therefore most likely to offer "best value" in relation to supply and delivery of a rear load compaction unit and truck.

**COMMUNITY ENGAGEMENT**

Tender applications were requested through the purchasing system 'Local Buy' allowing potential suppliers the opportunity to tender.

**FINANCIAL IMPLICATIONS**

The 2017/18 capital expenditure budget includes an allocation for "Reactive Garbage Truck Replacement" of \$300,000.

The tendered sum of \$278,029 for the purchase of the rear load compaction unit and truck offered by Bucher Municipal Pty Ltd, including the trade-in price for the existing garbage truck of \$73,500.

**RISK IMPLICATIONS**

To minimise risk the tender administration processes related to this contract comply with Council's Code for Tenders and Contracts which was developed in compliance with Section 333 of the *Local Government Act 1993*.

**CONCLUSION**

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Bucher Municipal Pty Ltd meets Council's operational requirements and is therefore most likely to offer "best value" in relation to Supply & Delivery of a rear load compaction unit and truck.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

That Council, in relation to Contract CF0020 supply & delivery rear load compaction unit and truck award the tender to Bucher Municipal Pty Ltd for the tendered sum of \$278,029 (ex GST).

Author: Position:	Kylie Lunson Infrastructure & Works Manager	Endorsed By: Position:	Matthew Atkins Deputy General Manager
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## **5.2 TENDER REPORT CONTRACT CT0210 EDWARD STREET FOOTPATH RENEWAL**

File: 27452 D514065

### **RELEVANCE TO COUNCIL'S PLANS & POLICIES**

Council's Strategic Plan 2009-2030:

- Strategy 2.3.1 Provide and maintain roads, bridges, footpaths, bike paths and car parks to appropriate standards

### **SUMMARY**

This report seeks Council's approval to award Contract CT0210 Edward Street Footpath Renewal (west side) to Kentish Construction & Engineering Company Pty Ltd Trading as Treloar Transport for a lump sum of \$165,317.

### **BACKGROUND**

This report considers tenders received for "Edward Street Footpath Renewal".

An allocation was made in the 2017/18 capital expenditure budget for "CBD footpath renewals". This allocation was made, recognising that CBD footpaths are the highest priority for improvement in Council's Pedestrian Strategy 2016-2021 and that footpath renewal work may be required to compliment the implementation of the LIVING CITY construction currently underway.

An audit of CBD footpaths was completed, assessing each footpath against the accessibility criteria detail in Council's Pedestrian Strategy and locations that were found to have poor accessibility were prioritised for improvement based on:

- Improvement in compliance possible from renewal,
- Estimated cost of renewal, and
- Estimated pedestrian volumes.

This process generated a short list of projects that were then considered in the context of how they integrate with Council's forward capital works program and future stages of LIVING CITY.

The best candidate project was found to be the western side of Edward Street. This section of footpath has significant and variable cross fall as well as a section with very steep grades at the southern end. It would be difficult for a person with limited mobility to use this path. Renewal of this section of path compliments the recent work on the north side of Best Street and is not impacted by future capital works. Other short-listed projects will be proposed in the forward capital works program.

The scope of this project includes renewal of all the footpath on the western side of Edward Street. Streetscaping features including trees and seats have been included and two garden beds are included at the southern end to help keep the grade accessible.

The material palette is as per the Council adopted Street Design Guidelines.

A site plan of the project is shown below.



**STATUTORY REQUIREMENTS**

Council is required to comply with Section 333 of the *Local Government Act 1993* and its adopted Code for Tenders and Contracts when considering awarding tenders.

**DISCUSSION**

In accordance with Council's Code of Tenders and Contracts, a Tender Planning and Evaluation Committee was formed to evaluate the tenders received.

Tenders were received from four companies. All tenders received were conforming tenders and are summarised in table 1.

**TABLE 1**

No.	Tender	Status	Tender Price (ex GST)
1	Civilscape Contracting Tasmania Pty Ltd	Conforming	\$161,574
2	Kentish Construction and Engineering Company Pty Ltd	Conforming	\$165,317
3	RT & NT Construction	Conforming	\$188,135
4	Hardings Hotmix Pty Ltd	Conforming	\$194,112

As highlighted in the above table, Civilscape Contracting Tasmania Pty Ltd tender of \$161,574 is the lowest price. The Tender Planning and Evaluation Committee has considered the tenders against each of the selection criteria, these being:

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 Report to Council meeting on 26 February 2018
 

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- Relevant Experience
- Quality, Safety and Environmental Management
- Methodology
- Price

The evaluation by the committee indicates that Kentish Construction and Engineering Company Pty Ltd rated higher than Civilscape Contracting Tasmania Pty Ltd on all of the non-price criteria and were assessed as offering Council the best value for money, despite being \$3,743 higher in price.

The main points of difference in the two submissions were:

- Track record: Evaluation of performance on recent contracts gave Kentish Construction and Engineering Company Pty Ltd a higher rating
- Quality, Safety and Environmental Management: Assessment of management systems, accreditations and processes gave Kentish Construction and Engineering Company Pty Ltd a higher rating

The Tender Planning and Evaluation Committee minutes were prepared, and confidential copies can be made available upon request by Aldermen.

### COMMUNITY ENGAGEMENT

A public advertisement calling for tenders was placed in the Advocate Newspaper on 13 January 2018 and tenders were also advertised on Council's website.

The key aspects of the design and the reasons for the changes to the footpath will be communicated to the public prior to the start of construction.

### FINANCIAL IMPLICATIONS

The 2017/18 capital expenditure budget includes an allocation of \$200,000 for this project.

The tender received from Kentish Construction and Engineering Company Pty Ltd is \$165,317.

The breakdown of the budget for this project is summarised below in table 2.

**TABLE 2**

No.	Tender	Price (ex GST)
1	Contract CT0210	\$165,317
2	Project management/administration	\$25,000
3	Telstra relocation works (Quoted TL212835-1)	\$8,372
4	TasWater works (Estimated)	\$8,000
5	Purchase pavers	\$7,800
6	Purchase trees and shrubs	\$3,500
7	Construction contingency	\$16,532
	<b>TOTAL</b>	<b>\$234,521</b>

The risk of unforeseen variations on this project is low and the contingency allowance has been set at 10% of the contract amount.

The forecast over expenditure on this project of \$34,521 (if contingency is fully spent) will be offset by savings on other transport projects.



**RISK IMPLICATIONS**

To minimise risk, the tender administration processes related to this contract comply with Council's Code for Tenders and Contracts which was developed in compliance with Section 333 of the *Local Government Act 1993*.

**CONCLUSION**

Taking into account the selection criteria assessment, the Tender Planning and Evaluation Committee has determined that Kentish Construction and Engineering Company Pty Ltd meets Council's requirements and is therefore most likely to offer "best value" in relation to Contract CT0210 Edward Street Footpath Renewal.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

That Council in relation to CT0210 Edward Street Footpath Renewal:

- a) award the contract to Kentish Construction and Engineering Company Pty Ltd for the tendered sum of \$165,317 (ex GST);
- b) note that utility services and pre-purchased material costs are estimated at \$27,672 (ex GST);
- c) note that design, project management and administration for the project are estimated to cost \$25,000(ex GST);
- d) note a construction contingency of \$16,532 (ex GST) is included; and
- e) note additional expenditure of up to \$34,521 (ex GST) may result if all the contingency is required, which will be offset by savings on other transport projects.

Author: Position:	Michael Mouat Technical Support Supervisor	Endorsed By: Position:	Matthew Atkins Deputy General Manager
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## 5.3 DEVONPORT GYMNASTICS CLUB

File: 32109 D513903

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 4.1.1 Provide sport, recreation and leisure facilities and programs to meet the needs of the community

### SUMMARY

This report is provided to update Council in regard to funding arrangements for the construction of a new Devonport Gymnastics Club (DGC) at Maidstone Park.

### BACKGROUND

At the meeting held 23 October 2017, Council determined (Min. No. 120/17 refers):

*"That Council receive and note the report regarding a new facility for the Devonport Gymnastics Club at Maidstone Park and subject to entering a new lease for the facility, agree to:*

- 1. Provide a loan of up to \$300,000 to the Club, with a fixed 3.8% interest rate and ten-year term conditional upon secured funding verified in writing from the Federal Government of \$500,000 and the State Government of \$750,000;*
- 2. Commit \$150,000 in the 2018/2019 Capital Works Program as a contribution towards car parking and a pathway to the existing Netball Centre car park;*
- 3. Waive all Council Development Fees for the project; and*
- 4. Confirm the exact location of the facility is in Bay Drive as per the land lease agreement between Council and the Devonport Gymnastics Club."*

### STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report. Appropriate planning and building legislation will be applicable at later stages of the project.

### DISCUSSION

Preliminary investigations have been undertaken regarding the proposed site in Bay Drive which have proven the land to be unsuitable for the construction of a new gymnastics facility. This is due to the unstable nature of the ground as a reclaimed waste site. To develop the land to enable construction of this type of facility, would increase the costs by approximately \$500-600,000.

Discussions have been held between Council officers, DRG representatives and building contractors.

Another site has been identified as an alternative at Maidstone Park and preliminary soil testing has confirmed that it has no issues regarding land fill however, there is a substantial stormwater main which passes under the land. The DGC would need to look at options for diverting the main to enable the facility to be built. This would need to be at their expense.

The proposed location is as shown below:



The proposed use is permitted within the assigned Recreation zone of the *Devonport Interim Planning Scheme 2013* however once a development application has been lodged, there may be requirements relating to parking which may involve discretion.

A formal lease agreement will need to be developed with the Club, clearly outlining ownership of the facility and ongoing maintenance expectations.

### **COMMUNITY ENGAGEMENT**

In relation to the exact location of the facility, initial consultation has been undertaken with the President of the Maidstone Park Management Controlling Authority.

### **FINANCIAL IMPLICATIONS**

In summary, funding for the project would be made up as follows:

Report to Council meeting on 26 February 2018

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State Government	\$750,000 secured
Federal Government	\$500,000 secured
Federal Government	\$250,000 <u>pending</u>
Council Loan	\$300,000
DGC savings	\$ 88,000 secured
Council capital contribution for car park and pathway	<u>\$150,000</u>

**Total project cost** **\$2,038,000**

In addition to the above, Council has donated the land towards the project and has agreed to waive development fees. The need to divert the stormwater drain will likely add additional expense to the project however these costs are currently unknown.

**RISK IMPLICATIONS**

There is a risk that the works could exceed initial estimates. Again, it is unknown what, if any, contingency has been provided, and should the project exceed budget whether any further requests to Council for support will be forthcoming.

**CONCLUSION**

The DGC have been actively pursuing external funding for their new facility and require Council, or other support, for the project to reach fruition. The site at Maidstone Park which has now been identified is suitable for the facility, subject to re-location or diversion of the stormwater main.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

That Council receive and note the report regarding the proposed facility for the Devonport Gymnastics Club at Maidstone Park and confirm:

1. that the proposed location at Maidstone Park is approved subject to the Devonport Gymnastics Club being responsible for any additional costs which may accrue to the project for the relocation of the stormwater drain;
2. it will provide a loan of up to \$300,000 to the Club, with a fixed 3.8% interest rate and ten-year term conditional upon secured funding verified in writing from the Federal Government of \$500,000 and the State Government of \$750,000;
3. the commitment of up to \$150,000 in the 2018/2019 Capital Works Program as a contribution towards car parking; and
4. the waiving of all Council Development application fees for the project.

Author:	Karen Hampton	Endorsed By:	Paul West
Position:	Community Services Manager	Position:	General Manager

## 5.4 PARANAPLE CONVENTION CENTRE AND PARANAPLE ARTS CENTRE FEES AND CHARGES

File: 34518 D513984

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.4.1 Develop and implement a CBD Master Plan aligned to the key LIVING CITY principles based on community engagement outcomes

### SUMMARY

This report is to recommend the venue hire fees guide schedule for the paranaple convention centre and paranaple arts centre, and delegate the authority to administer the fees to the Convention and Arts Centre Manager.

### BACKGROUND

The paranaple convention centre is a state-of-the-art convention venue, atop the paranaple centre on Rooke Street Devonport. The convention centre is suited to hosting conferences, large catered events and exhibitions. It has a capacity of 800 seated in theatre-style, or alternatively 500 banquet style. The space can be divided in to three equal spaces for hire – the eastern, middle and western room, including the foyer.

The paranaple arts centre amalgamates the current activities of the Devonport Entertainment and Convention Centre, Devonport Regional Gallery and Visitors Centre, in a contemporary facility alongside the paranaple centre, in the paranaple precinct.

Extensive research has been undertaken to devise a comprehensive guide venue hire fees schedule. The research has considered the hire of the whole paranaple convention centre and paranaple arts centre, its variations, and several extended resources within the paranaple precinct available to potential clients.

### STATUTORY REQUIREMENTS

Section 205 of the *Local Government Act 1993* provides Council with the statutory power to impose fees and charges in respect of any property or facility owned, controlled, managed or maintained by it.

### DISCUSSION

A comprehensive venue hire fees guide schedule is proposed for the paranaple convention centre and the paranaple arts centre. The scope of fees and charges proposed are devised to cover the internal costs associated with delivering each hireable space, understanding the multiple setups, procedures and varying impacts on staffing resources. The proposed fees and charges will encompass:

- a. **paranaple convention centre** (*whole Level 3 of the paranaple centre*)
- b. **Room 1** (*a third division of the whole paranaple convention centre - eastern, water views*)
- c. **Room 2** (*a third division of the whole paranaple convention centre - centre*)
- d. **Room 3** (*a third division of the whole paranaple convention centre - western, access to foyer*)
- e. **Town Hall Theatre** (*within the paranaple arts centre*)

- f. **Large Conference Room** (*Level 2 of the paranable centre*)
- g. **Multi-Purpose Room** (*within the paranable arts centre*)
- h. **Small Meeting Room** (*within the paranable arts centre*)
- i. **Main Gallery 1** (*within the paranable arts centre, as private function venue*)
- j. **Foyer** (*paranable convention centre*)

Dependant on the requirements of each hirer, the day of the week and the hours of access, the proposed fees for the various spaces and room delivery will vary in application.

The proposed venue hire fees guide schedule include considerations for the following adjustments, to be administered by the Convention and Arts Centre Manager when assessed as appropriate:

- a. **Community Discount:** To encourage community usage of the paranable convention centre, a tiered reduction in hire fees is proposed to apply to Incorporated not-for-profit organisations.
- b. **Education Discount:** To encourage usage by recognised education providers within the district, a tiered reduction in hire fees is proposed to apply to events and functions that have an education benefit to students in the district.
- c. **Wedding/Dinners/Banquets:** The proposed schedule of fees and charges allows for flexibly to accommodate the needs of major dinners, which may require specific access, additional setup, prior and post event delivery/pickup.
- d. **Half-Day Hire:** A tiered and weighted half-day hire rate is proposed for certain spaces throughout the centre.
- e. **Performances:** It is proposed conditions regarding ticketing and associated fees mirror that of the Devonport Entertainment and Convention Centre (to be paranable arts centre).

The proposed venue hire fees are considerate of the paranable centre's tenants, including the Linc, which also offer meeting rooms to the public.

Important to note, in addition to venue hire, fees and charges may be applied for the following depending on the nature of hire:

- a. **Equipment**
- b. **Catering**
- c. **Additional Cleaning**
- d. **Additional Staffing**
- e. **Security**
- f. **Additional Electricity/Heating/Cooling**

The paranable convention centre is untested in the convention and events market. While the venue hire fees guide schedule has been prepared based on a benchmarking analysis, the fees will require monitoring and assessment throughout the first 24 month of operation. It is therefore appropriate to delegate the authority to implement and apply the fees for the paranable convention centre and paranable arts centre to the Convention and Arts Centre Manager. The Manager will have the responsibility to maintain and administer the guide schedule. This action will allow for the considered implementation of the schedule, the ability to negotiate with clients and encourage and develop usage.

**COMMUNITY ENGAGEMENT**

Community engagement has not been undertaken as part of this report.

**FINANCIAL IMPLICATIONS**

The venue hire fees guide schedule has been devised to offset internal costs associated with operating the paranapple convention centre and paranapple arts centre. Revenue and expenditure throughout the first 24 months of operation are based on reviewing the best information available at the time.

**RISK IMPLICATIONS**

- Corporate and Business  
A low risk exists if the paranapple convention centre and paranapple arts centre fail to attract sufficient usage to meet financial and strategic objectives.
- Consultation and/or Communication  
A low risk exists if the paranapple convention centre and paranapple arts centre fail to meet community expectations.
- Human Resources  
The guide schedule has been prepared on the best available information regarding human resourcing, understanding the proposed site, layout and storage considerations of the paranapple convention centre. However, a low risk exists if estimates regarding the time required for room setups is inaccurate.

**CONCLUSION**

Due to the establishment of the paranapple convention centre and paranapple arts centre, it is recommended to adopt the venue hire fees guide schedule regarding the hire of the venue. Furthermore, delegate the authority to administer the fees to the Convention and Arts Centre Manager, for monitoring and assessing the performance of the fees throughout the initial 24 months of operation. This action will allow for the considered implementation of the schedule, the ability to negotiate with clients and encourage and develop usage.

**ATTACHMENTS**

1. Venue Hire Fees Guide Schedule - paranapple convention and arts centre

**RECOMMENDATION**

That Council in relation to the paranapple convention centre and the paranapple arts centre:

- a. adopt the proposed venue hire fees guide schedule for the hire and usage; and
- b. delegate the authority to administer and negotiate where appropriate the venue hire fees to either the General Manager or the Convention and Arts Centre Manager.

Author:	Geoff Dobson	Endorsed By:	Paul West
Position:	Convention & Arts Centre Manager	Position:	General Manager

## Venue Hire Fees Guide Schedule – Commercial

### paranaple convention centre paranaple arts centre

**Standard Commercial Rates Include:**

- Up to 10 hours hire only (additional hourly rate applied thereafter)
- Standard venue set-up / pack down
- Basic talk back PA system and static lighting
- Staging, if required
- Wi-fi for the hirer
- Supervision of 1 staff member

**Additional Costs May Include:**

- Catering, as arranged with catering provider
- Audio Visual Equipment, including projection/screen
- Linen
- Audio Visual Technician/Operator
- Additional Staffing and Security
- Additional Cleaning/Heating/Cooling/Electricity

VENUE HIRE	MON-FRI	SAT 25% SURCHARGE APPLIES	SUN 50% SURCHARGE APPLIES	PUBLIC HOLIDAY	ADDITIONAL HOURS
paranaple convention centre* (room 1, 2, 3 and foyer)	\$1,800.00	\$2,250.00	\$2,700.00	POA	\$200 PER HOUR
Room 1 (eastern, water views)	\$850.00	\$1070.00	\$1,275.00	POA	\$120 PER HOUR
Room 2 (middle)	\$550.00	\$690.00	\$825.00	POA	\$120 PER HOUR
Room 3 (western, access to foyer)	\$550.00	\$690.00	\$825.00	POA	\$120 PER HOUR
Town Hall Theatre - Conference (paranaple arts centre)	\$550.00	\$690.00	\$825.00	POA	\$120 PER HOUR
Town Hall Theatre – Performance* (paranaple arts centre)	\$850.00	\$850.00	POA	POA	POA
Large Conference Room (paranaple centre - chambers)	\$320.00	\$400.00	\$480.00	POA	POA
Multi-purpose room (paranaple arts centre)	\$260.00	\$325.00	\$390.00	POA	POA
Main Gallery <sup>1</sup> (paranaple arts centre)	\$320.00	\$400.00	\$480.00	POA	POA
Foyer <sup>2</sup> (paranaple convention centre)	\$140.00	\$175.00	\$210.00	POA	POA
Small Meeting Room (paranaple arts centre)	\$100.00	POA	POA	POA	POA
*Performing Arts Hire	Venue Hire, or 8.5% of Adjusted Gross Box Office, whichever is greater				

<sup>1</sup> - Main Gallery is only available out of hours for special events, such as cocktail functions, when exhibition program allows.



2 – Foyer rate will only apply to hirers who utilise the foyer space for exhibits, trade stalls, talks, etc., during multiple hire events as a result of foyer being obstructed.



## 5.5 JULIE BURGESS REPAIRS 2017/18

File: 31571-01 D510733

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.2.1 Acknowledge, preserve and celebrate local art, culture and heritage

### SUMMARY

This report is provided to inform Council on maintenance works carried out to the Julie Burgess recently.

### BACKGROUND

A report was presented to Council's 28 August 2017 meeting outlining the required repairs to the hull of the Julie Burgess. The hull had been inspected by independent shipwrights in July 2017 at which time a number of defective boards were identified.

It was estimated at the time that if Council were to approve the repairs the total spend for the repairs and maintenance expenditure line item in the 2017/18 financial year would be \$62,768, resulting in a budget overrun of \$32,768.

The estimate included \$50,500 for the replacement of hull planks identified during the assessment and the year to date expenses already incurred.

Council accepted the report and on this basis the repairs to the Julie Burgess were programmed.

### STATUTORY REQUIREMENTS

Section 82 of the *Local Government Act 1993* outlines the Council's responsibilities in relation to its Estimates.

### DISCUSSION

Planning for the major plank repairs on the Julie Burgess commenced in September 2017, however the availability of the shipwrights and the slipway led to a delay in slipping the vessel. The Julie Burgess was slipped in the last week of November and prior to this the vessel had its Marine and Safety Tasmania (MAST) Survey Inspections undertaken by registered Marine Surveyors who were informed of pending plank replacements. During this survey two additional corrective actions were also identified:

- Prop shaft bearing overheated and tight
- Cracks in main mast

The mast issue had previously been noted by the Master of the vessel and shipwright and therefore timber had been sourced in anticipation for replacement of it in the 2018/19 financial year.

Due to the concerns and actions noted by the survey it was determined that the mast replacement should occur at the same time as the plank repairs. At the same time while the vessel was slipped the prop shaft was investigated and corrected.

### COMMUNITY ENGAGEMENT

There has been reporting in the Advocate Newspaper regarding the extent of the repairs undertaken.

The following question on notice was provided to Council for this meeting:

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Can council please **advise as to its current vision and benefits to ratepayers (real, measurable and at least realistic) from continuing to fund the loss-making Julie Burgess** in light of demonstrated annual losses and a failed business plan after more than 4 years of being in operation.

A review of the Julie Burgess Business Plan is currently being undertaken with the intention that an updated document will be provided to Council for consideration. This may assist Council in responding to the question posed.

#### **FINANCIAL IMPLICATIONS**

##### **Plank Replacement Task**

The vessel was inspected and the identified planks from the July inspection were removed for replacement along with additional planks that could not be non-destructive tested at the time.

Extent of repairs – left side



Extent of repairs – right side



Total cost for plank repairs was \$53,653, with the addition of the year to date maintenance and repairs expenses of \$8,406, the total spend was \$62,059.

**Mast Replacement Task**

While on the slip the main mast was removed from the vessel and a replacement constructed on site by the shipwrights with the assistance of volunteers - it is noted that this particular mast was not replaced during the original restoration project.



Total cost for the replacement of the mast was \$19,859.

### Prop Shaft Repairs

Prop shaft was removed and inspected with the fault being identified as a miss alignment of the two main stern tube bearings, this resulted in a spend of \$4,881.

### Summary of Expenditure

Summary of Expenditure	Amount
Plank Repairs	\$53,654
Mast Replacement	\$19,859
Prop Shaft Repairs	\$ 4,881
Miscellaneous	\$ 8,406
<b>Total Repairs &amp; Maintenance (year to date)</b>	<b>\$86,800</b>

Reconciliation	Amount
Original R&M Budget	\$30,000
Additional Allocation Approved (August 2018)	\$32,768
<b>Total Amended Budget Available</b>	<b>\$62,768</b>
Actual Expenditure	\$86,800
<b>Budget Overrun</b>	<b>\$24,032</b>

There is an allowance of \$20,000 in the preventative maintenance budget for the Pontoon where the Julie Burgess is moored. Upon inspection there is reason to believe there will be no additional cost to defer this maintenance until next financial year allowing the \$20,000 to be relocated to the repairs of the vessel. If approved by Council the budget shortfall for the Julie Burgess Repairs and Maintenance line item would then be \$4,032. There are significant savings in other budget areas that will more than offset this shortfall.

### RISK IMPLICATIONS

A vessel of the nature of the Julie Burgess which provides a tourist activity needs to be kept in good condition. As a number of issues had been identified the Council was obliged to have these attended too or alternatively significantly curtail the vessel's use.

### CONCLUSION

The addition of the mast replacement and prop shaft fault resulted in a combined spend of \$86,800, this was \$24,800 over the August 2017 reported estimate of \$62,000.

As a result of the delay in undertaking the repairs to the Julie Burgess there has been a significant impact on the ability for the vessel to earn income from sailings. As mentioned earlier in this report a review of the Julie Burgess Business Plan is currently being undertaken with the intention that an updated document will be provided to Council for consideration.

### ATTACHMENTS

Nil

## RECOMMENDATION

That Council in relation to the Julie Burgess Repairs report:

- (a) Receive and note the information;
- (b) acknowledge that repairs totalling \$86,800 is to be funded through the following:
  - (i) original budget allocation - \$30,000
  - (ii) additional budget allocation previously approved - \$32,768
  - (iii) reallocation of the preventative maintenance budget for the pontoon - \$20,000
  - (iv) over expenditure - \$4,032
- (c) note that the Julie Burgess Business Plan is currently under review and an updated Plan will be provided to Council in due course.

Author:	Paul West
Position:	General Manager

## 5.6 LGAT - GENERAL MEETING AGENDA

File: 30415 D514436

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.1.3 Represent and promote Council at Regional, State and National forums

### SUMMARY

This report has been prepared to inform Council of items listed for consideration on the upcoming Local Government Association of Tasmania (LGAT) General Meeting to be held on Friday 2 March in Burnie.

### BACKGROUND

The agendas can be downloaded at:

<http://www.lgat.tas.gov.au/webdata/resources/files/Agenda%20%20Mar%2018.pdf>  
(agenda)

<http://www.lgat.tas.gov.au/webdata/resources/files/All%20Attachments%20March%202018.pdf>  
(attachment)

### STATUTORY REQUIREMENTS

Council as a member of the LGAT is entitled to vote in accordance with the Rules of the Association at any meeting. A number of the items to be debated relate to either State or Federal Government legislation or responsibility.

### DISCUSSION

The purpose of this report is to allow Council, where it considers necessary, to provide some direction Council's delegates (Acting Mayor and General Manager) in relation to how he might vote as Devonport City Council's delegate at the LGAT Annual General Meeting and General Meeting.

Details of the agenda items are as follows:

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## ITEMS FOR DECISION

### 2.1 REVIEW OF STATE PLANNING PROVISIONS Clarence City Council

**Decision Sought**

**That LGAT write to the Minister for Planning to initiate a review of the State Planning Provisions for the Residential Standards (SPP).**

#### **LGAT Comment**

The issues raised in the motion by Clarence City Council are held by most councils and many in the community. LGAT has advocated, and continues to advocate, for the necessary improvements to our planning system in order for it to provide stability, certainty and to protect amenity in line with community expectations. To that end, planning was listed as one of five priorities in our Election Priority Statement. LGAT indicated that the following actions were necessary:

- Development of the Tasmanian Planning Policies in partnership with Local Government;
- Improvements to the governance and appropriate resourcing of the updating of the regional land use strategies;
- Implementation of the Tasmanian Planning Commission's priority recommendations contained in their report on the State Planning Provisions, particularly the review of residential development standards; and
- A review and consolidation of the various legislative provisions related to land subdivision.

The LGAT comment in relation to this motion is relevant and there is a strong argument for Council to support the intent of the motion.

### 2.2 FREE CAMPING IN REGIONAL TOWNS Meander Valley

**Decision Sought**

**That the Local Government sector through the Local Government Association Tasmania (LGAT) seek a State Government review of the current application of National Competition Principles as they relate to free camping in regional towns in Tasmania.**

The PLGC (Premier's Local Government Council) at its December 2017 meeting determined that a Working Group be established to investigate the challenges and opportunities around the issue of freedom camping.



**2.3 PROPOSED LEGISLATION CHANGE TO ALLOW COUNCILS TO INSTALL ROAD HUMPS ON LOCAL ROADS \***

Contact Officer Michael Edrich

**Decision Sought**

**That Members formally support the changes to the *Traffic Act 1925* and the *Local Government (Highways) Act 1982* proposed by the Department of State Growth**

LGAT has been approached by the Department of State Growth (DSG) to support a change to the *Traffic Act 1982*. The changes proposed by DSG will bring processes for road humps in line with the majority of other similar road treatments.

**2.4 RECONCILIATION TASMANIA \***

Contact Officer – Katrena Stephenson

**Decision Sought**

**That the Meeting agree to a presentation by the CEO and Co-Chairs of Reconciliation Tasmania at the General Meeting being held in May.**

**2.5 PROPOSED REVIEW OF THE ROADS AND JETTIES ACT 1935**

Contact Officer – Michael Edrich

**Decision Sought**

**That Members note the issues around State and Local Government road maintenance activities and support LGAT pursuing a review of Section 11 of the *Roads and Jetties Act 1935* with the aim of improving the road maintenance issues.**

The *Roads and Jetties Act 1935* does include a number of complex and at times confusing demarcation issues between State and local road managers. A review of the Act is timely and is supported.

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### COMMUNITY ENGAGEMENT

Background information on all of the items listed can be found in the agenda papers and the attachments.

### FINANCIAL IMPLICATIONS

Council contributes to LGAT through payment of subscriptions. Any decisions reached at General Meetings may have an impact on Council's finances.

### RISK IMPLICATIONS

There are no risks which have been identified in relation to the contents of this report. Any risk is dependent on the outcome of decisions which are reached at the General Meeting.

### CONCLUSION

The LGAT General Meeting agenda items have been listed for the information of Aldermen and to allow comment and/or direction to be provided to the Council's delegates in relation to any matter.

### ATTACHMENTS

Nil

### RECOMMENDATION

That the agenda for the Local Government Association of Tasmania General Meeting to be held on 2 March 2018 be received and noted.

Author:	Paul West
Position:	General Manager

## 6.0 INFORMATION

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

Council is required by Regulation 8(2)(c) of the *Local Government (Meeting Procedures) Regulations 2015* to include in the Agenda the date and purpose of any Council Workshop held since the last meeting.

Date	Description	Purpose
05/02/2018	Devonport Gymnastics Club	Update on proposal for the new facility at Maidstone Park.
	Retail Strategy	Update on results and proposals for a Council sponsored retail strategy.
	LIVING CITY – Waterfront Hotel Update	Update on progress.
	<i>paranaple convention centre</i>	Present and discuss draft fees and charges schedule.
	Establishment of the <i>paranaple art centre</i> Advisory Committee	Discussion on establishment and Terms of Reference.
	Julie Burgess	Update on recent repair works.
	Budget Timetable	Provision of information of timeline for budget preparation.

### RECOMMENDATION

That the report advising of Workshop/Briefing Sessions held since the last Council meeting be received and the information noted.

Author: Position:	Robyn Woolsey Executive Assistant General Management	Endorsed By: Position:	Paul West General Manager
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## 6.2 MAYOR'S MONTHLY REPORT

File: 22947 D498980

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

### SUMMARY

This report details meetings and functions attended by the Mayor.

### BACKGROUND

This report is provided by the Mayor to provide a list of meetings and functions attended by him for the month of January 2018.

### STATUTORY REQUIREMENTS

There are no statutory requirements which relate to this report.

### DISCUSSION

In his capacity as Mayor, Alderman Steve Martin attended the following meetings and functions during the month January 2018:

- Josh Cox – Mountain Biking Kelcey Tiers
- Media interview - Advocate
- Devonport Cup, President's Luncheon
- Cassie Coleman – ALGA
- 7AD Radio interview
- Roger Jaensch media event – lighting at Maidstone Park
- Paraquad – Tasmanian Masters Games – Hobart
- Leader of the Opposition, Rebecca White – Hobart
- Mike Palmer CEO Football Federation of Tasmania - Hobart
- Stephen Farquer, Qantaslink – Hobart
- Licencing & Gaming Dept - Hobart
- Children's University NW Committee
- NW Greyhound Racing Club - Devonport Cup
- East Devonport Child & Family centre "Beach Play" event
- Hobart Hurricanes Summer Camp activity – Devonport Oval
- Cameron Lundstedt – Living City
- Resident meeting
- Taste the Harvest
- IC4 Developments
- Roger Jaensch – funding announcement East Devonport fitness equipment
- Australia Day Civic event – Providore Place
  - Citizen of the Year, Young Citizen of the Year & Community Event of the Year – record number of nominees
  - Nine new citizens
  - Record attendance – estimated 200 strong audience
- Biosecurity meeting with Fruit Growers TAS, DPIPW and local growers in regard to fruit fly incursion
- Living City Reference Group tour
- Nixon Street Primary School – meet new Principal

**ATTACHMENTS**

Nil

**RECOMMENDATION**

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

## 6.3 GENERAL MANAGER'S REPORT - FEBRUARY 2018

File: 29092 D498956

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.8.2 Ensure access to Council information that meets user demands, is easy to understand, whilst complying with legislative requirements

### SUMMARY

This report provides a summary of the activities undertaken by the General Manager, 24 January to 21 February 2018. It also provides information on matters that may be of interest to Aldermen and the community.

### BACKGROUND

The report is provided on a regular monthly basis and addresses several management and strategic issues currently being undertaken by Council. The report also provides regular updates in relation to National, Regional and State based local government matters as well as State and Federal Government programs.

### STATUTORY REQUIREMENTS

Council is required to comply with the provisions of the *Local Government Act 1993* and other legislation. The General Manager is appointed by the Council in accordance with the provisions of the Act.

### DISCUSSION

#### 1. COUNCIL MANAGEMENT

- 1.1. Attended and participated in several internal staff and management meetings.
- 1.2. Attended Workshops, Section 23 Committee and Council Meetings as required.
- 1.3. Finalised a response to the State Grants Commission in relation to the released discussion paper titled "Regional Responsibility. The Commission will hold its series of public hearings throughout February/March. The outcome of the Commission's deliberations will likely be known in August 2018.
- 1.4. The Auditor General and other representatives of the Tasmanian Audit Office met with the Acting Mayor and management to discuss their 2018 work program and for feedback on the prior year's audit and compliance reports.

#### 2. LIVING CITY

- 2.1. Participated in a LIVING CITY Working Group meeting. This is a regular meeting where Council officers and representatives of P+i Group discuss progress and activities associated with the project.
- 2.2. Attended a meeting of the Project Control Group (PCG) meeting relating to LIVING CITY Stage 1. This meeting is attended by representatives of Council, the builder, the architect and Council's appointed Project Managers. The meeting is chaired by the Independent Superintendent.
- 2.3. Attended a tour of the LIVING CITY site organised for members of the Community Reference Group. This was an opportunity for the Reference Group to visit the site to view the progress being made.

- 2.4. Met with representatives of Service Tasmania to further discuss operational aspects associated with the relocation to the paranapple centre.
- 2.5. There was a Steering Committee meeting convened during February. The LIVING CITY Steering Committee was established to meet requirements outlined in the development agreement between Council and the State Government. The Steering Committee includes members representing LINC; Service Tasmania, Treasury, Department of State Growth and Council. The main purpose of the Steering Committee is to monitor progress on the development of the multi-purpose building and ensuring a coordinated response is provided to matters to be determined.

3. COMMUNITY ENGAGEMENT (RESIDENTS & COMMUNITY GROUPS)

- 3.1. Attended the Council's Australia Day Citizenship and Awards Event at Providore Place on Thursday 25 January.
- 3.2. With the Mayor visited the Fonterra Factory at Spreyton. This was an opportunity to see first-hand the operations of the factory and to be briefed on future expansion and improvement plans.
- 3.3. Met with a representative of Youth Family and Community Connections (YFCC) for a discussion relating to the arrangements in place for the delivery of youth services in Devonport and opportunities for the future use of the property located at 62 Stewart Street.
- 3.4. Attended the Devonport Chamber of Commerce & Industry (DCCI) luncheon where representatives from both the liberal and labor parties outlined their party's respective small business platforms for the upcoming State election.
- 3.5. Met with a resident in relation to concerns with a plumbing order issued on a property.

4. NATIONAL, REGIONAL AND STATE BASED LOCAL GOVERNMENT

- 4.1. Attended a meeting of the Cradle Coast General Managers Group. Items discussed included:
  - Regional Tourism overview including an outline of the Cradle Coast Authority's Marketing Strategy and latent demand responses.
  - Shared Services Report – considered the responses of the Cradle Coast Councils to the report and discussed actions for going forward.
  - Cradle Coast Authority - update on activities.
  - Reviewed the recommendations from the Glenorchy City Council's Board of Inquiry Report and what if any impacts the recommendations may have for the broader local government sector.
  - Cradle Coast Waste Management Group
  - State-wide Planning Scheme
- 4.2. Met with the Chairman and CEO of the Cradle Coast Authority for a catch up on matters relating to the Authority including proposed changes to the Rules and the recently completed Shared Services Study.

5. STATE AND FEDERAL GOVERNMENT PROGRAMS

- 5.1. With the Acting Mayor attended a State Election forum in Ulverstone sponsored by LGAT and other representative organisations. This was a 'meet the candidates' opportunity.
- 5.2. With the Acting Mayor met with the Deputy Premier, Hon Jeremy Rockliff to discuss election priorities for Devonport.

**COMMUNITY ENGAGEMENT**

The information included above details any issues relating to community engagement.

**FINANCIAL IMPLICATIONS**

Any financial or budgetary implications related to matters discussed in this report will be separately reported to Council.

There is not expected to be any impact on the Councils' operating budget as a result of this recommendation.

**RISK IMPLICATIONS**

Any specific risk implications will be outlined in the commentary above. Any specific issue that may result is any form of risk to Council is likely to be subject of a separate report to Council.

**CONCLUSION**

This report is provided for information purposes only and to allow Council to be updated on matters of interest.

**ATTACHMENTS**

1. Current and Previous Minute Resolutions Update - February 2018
2. CONFIDENTIAL Current and Previous Minute Resolutions Update - Confidential February 2018

**RECOMMENDATION**

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

Author:	Paul West
Position:	General Manager



## Current and Previous Minute Resolutions Update

OPEN SESSION Current Resolutions	
<b>Resolution Title:</b>	<b>Lobby for Legislation – Poker Machines (D510831)</b>
<b>Date:</b>	29 January 2018
<b>Minute No.:</b>	04/18
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	General Manager
<b>Officers Comments:</b>	Determined not to progress with Notice of Motion
<b>Resolution Title:</b>	<b>PA2017.0146 Community Meeting and Entertainment (Alterations and Additions) – Assessment Against Performance Criteria for General Residential Provisions 10.3.1, 10.3.2, 10.4.11 and Traffic Generating Use and Parking Code (Fewer Parking Spaces than Required) and Water and Waterways Code (Carpark Proximity to Watercourse) – 84-120 Don Road Devonport (D510516)</b>
<b>Date:</b>	29 January 2018
<b>Minute No.:</b>	05/18
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Deputy General Manager
<b>Officers Comments:</b>	Approved
<b>Resolution Title:</b>	<b>Tender Report Contract CT0207 Saleyard Road Renewal (D508895)</b>
<b>Date:</b>	29 January 2018
<b>Minute No.:</b>	07/18
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Deputy General Manager
<b>Officers Comments:</b>	Successful tenderer awards
<b>Resolution Title:</b>	<b>Cradle Coast Authority – Representative Appointment (D508906)</b>
<b>Date:</b>	29 January 2018
<b>Minute No.:</b>	08/18
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	General Manager
<b>Officers Comments:</b>	Letter sent to Cradle Coast Authority advising of Deputy Mayor Rockliff's appointment

Previous Resolutions Still Being Actioned	
<b>Resolution Title:</b>	<b>Mersey Bluff Precinct (D504218)</b>
<b>Date:</b>	18 December 2017
<b>Minute No.:</b>	248/17
<b>Status:</b>	In progress
<b>Responsible Officer:</b>	Community Services Manager
<b>Officers Comments:</b>	Request for Quotation to prepare a Traffic Impact Assessment for consultants.
<b>Resolution Title:</b>	<b>Draft Waste Strategy 2018-2023 (D494176) (IWC 48/17 – 11 December 2017)</b>
<b>Date:</b>	18 December 2017
<b>Minute No.:</b>	256/17
<b>Status:</b>	Completed
<b>Responsible Officer:</b>	Executive Officer Community Services
<b>Officers Comments:</b>	Final Strategy to be tabled at Council meeting 25 February 2018.
<b>Resolution Title:</b>	<b>Mersey Bluff Cemetery (IWC 35/17 – 9 October 2017)</b>
<b>Date:</b>	23 October 2017
<b>Minute No.:</b>	213/17
<b>Status:</b>	In progress
<b>Responsible Officer:</b>	Deputy General Manager
<b>Officers Comments:</b>	Graphics for signage being developed.
<b>Resolution Title:</b>	<b>Disability/Equal Access and Inclusion (D491448)</b>
<b>Date:</b>	25 September 2017
<b>Minute No.:</b>	181/17
<b>Status:</b>	In progress
<b>Responsible Officer:</b>	Community Services Manager
<b>Officers Comments:</b>	Disability/Equal Access and Inclusion Plan to be developed.
<b>Resolution Title:</b>	<b>Funding &amp; Assistance – Home Hill – NOM – Ald Laycock</b>
<b>Date:</b>	26 September 2016
<b>Minute No.:</b>	170/16
<b>Status:</b>	In progress
<b>Responsible Officer:</b>	Convention and Arts Centre Manager
<b>Officers Comments:</b>	Landscape Management plan was presented to Council officers in December by National Trust's Consultants.

## 7.0 SECTION 23 COMMITTEES

### 7.1 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 12 FEBRUARY 2018

File: 29528 D513712

#### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

#### SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Infrastructure Works and Development Committee meeting held on Monday, 12 February 2018.

#### ATTACHMENTS

1. Minutes - Infrastructure Works and Development Committee - 2018/02/12

#### RECOMMENDATION

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 12 February 2018 be received and the recommendations contained therein be adopted.

- IWC 51/18 Bike Riding Strategy 2015-2020 - Year 2 Status Update
- IWC 52/18 Signage Strategy 2017-2022 Year 1 Update
- IWC 53/18 Request for Commemorative Seat - Mersey River Foreshore
- IWC 54/18 Pioneer Park Master Plan 2018-2028 - Draft
- IWC 55/18 Waste Strategy 2018-2023
- IWC 56/18 Highfield Park Master Plan 2018-2028 - Draft
- IWC 57/18 Infrastructure and Works Report
- IWC 58/18 Development and Health Services Report

Author:	April Nelson	Endorsed By:	Paul West
Position:	Executive Assistant - Governance	Position:	General Manager

**MINUTES OF AN INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING  
OF THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS  
ON MONDAY, 12 FEBRUARY 2018 COMMENCING AT 5:30PM**

**PRESENT:** Ald L M Perry (Chairman)  
Ald G F Goodwin  
Ald A J Jarman  
Ald J F Matthews  
Ald A L Rockliff

**Aldermen in Attendance:**

Ald C D Emmerton  
Ald T M Milne

**Council Officers:**

General Manager, P West  
Deputy General Manager, M Atkins  
Executive Manager Corporate Services, J Griffith  
Manager Development, B May  
Infrastructure and Works Manager, K Lunson

**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	Apology
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**2.0 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**3.0 PROCEDURAL**

**3.1 PUBLIC QUESTION TIME**

**RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

**Q1** I see where Devonport City Council have 136 retaining wall assets. My question is - is the boundary wall with 51, 53, 55 and 57 Stewart St a Devonport City Council asset? Have the cracks been monitored? Has a report been done?

**Response**

Infrastructure and Works Manager advised that the retaining wall is not a Devonport City Council asset. A report has been received and Council are working with the property owner regarding the cracking.

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

**Q1** The work at the round-about at Oldaker and Ronald Street which was finished recently. The foregoing matter is in the Council Annual Report 2017/2018 under "Transport Safety Projects" on page 46 as both new (including upgrade) and

Asset renewal. What was the safety issue at this roundabout that needed to be addressed and was the safety issue peculiar to this roundabout or is applicable to all other roundabouts?

### Response

The Infrastructure and Works Manager advised that the safety issue was based on crash data received for that roundabout, with a large number of cars proceeding straight through the roundabout and being run into. The new component works were funded by the Government as part of the Black Spot Program. Works included changes to the approaches and the placement of a tree in the middle of the roundabout.

### 3.2 QUESTIONS FROM ALDERMEN

Nil

### 3.3 NOTICES OF MOTION

Nil

## 4.0 TENDERS

Nil

## 5.0 INFRASTRUCTURE AND WORKS REPORTS

### 5.1 BIKE RIDING STRATEGY 2015-2020 - YEAR 2 STATUS UPDATE (D509399)

#### IWC 51/18 RESOLUTION

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the report of the City Engineer be received and Council note the status of actions listed in the Bike Riding Strategy 2015-2020.

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

CARRIED UNANIMOUSLY

### 5.2 SIGNAGE STRATEGY 2017-2022 YEAR 1 UPDATE (D509641)

#### IWC 52/18 RESOLUTION

MOVED: Ald Matthews

SECONDED: Ald Rockliff

That it be recommended to Council that the report of the Technical Support Supervisor be received and Council note the status of actions listed in the Signage Strategy 2017-2022.

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

CARRIED UNANIMOUSLY

**5.3 REQUEST FOR COMMEMORATIVE SEAT - MERSEY RIVER FORESHORE (D510736)****IWC 53/18 RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Goodwin

That it be recommended to Council that the application from Kyla's Foundation for the placement of a commemorative seat along the Mersey River Foreshore be received and Council advise the applicant that, subject to final determination of the placement of the seat, the request is approved.

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

CARRIED UNANIMOUSLY

**5.4 PIONEER PARK MASTER PLAN 2018-2028 - DRAFT (D512276)****IWC 54/18 RESOLUTION**

MOVED: Ald Goodwin  
 SECONDED: Ald Rockliff

That it be recommended to Council that the report relating to the draft Pioneer Park Master Plan 2018-2028 be received and noted and the release of the Strategy for a 30 day public consultation period be endorsed.

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

CARRIED UNANIMOUSLY

**5.5 WASTE STRATEGY 2018-2023 (D512363)****IWC 55/18 RESOLUTION**

MOVED: Ald Rockliff  
 SECONDED: Ald Matthews

That it be recommended to Council that in relation to the Waste Strategy 2018-2023:

- a) it be noted that no modifications to the original document have been made in light of community feedback; and
- b) the Strategy be adopted.

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

CARRIED UNANIMOUSLY

**5.6 HIGHFIELD PARK MASTER PLAN 2018-2028 - DRAFT (D512271)****IWC 56/18 RESOLUTION**

MOVED: Ald Rockliff  
 SECONDED: Ald Goodwin

That it be recommended to Council that the report relating to the draft Highfield Park Master Plan 2018-2028 be received and noted and the release of the Strategy for a 30 day public consultation period be endorsed.

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

CARRIED UNANIMOUSLY

**6.0 INFRASTRUCTURE, WORKS AND DEVELOPMENT BI-MONTHLY UPDATES****6.1 INFRASTRUCTURE AND WORKS REPORT (D507972)****IWC 57/18 RESOLUTION**

MOVED: Ald Rockliff  
 SECONDED: Ald Matthews

That it be recommended to Council that the Infrastructure and Works report be received and noted.

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

CARRIED UNANIMOUSLY

**6.2 DEVELOPMENT AND HEALTH SERVICES REPORT (D510978)****IWC 58/18 RESOLUTION**

MOVED: Ald Goodwin  
 SECONDED: Ald Rockliff

That it be recommended to Council that the Development and Health Services Report be received and noted.

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

CARRIED UNANIMOUSLY

**There being no further business the Chairman declared the meeting closed at 5:51pm.**

Confirmed

Chairman

## 7.2 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 19 FEBRUARY 2018

File: 33784 D514634

### RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

### SUMMARY

The purpose of this report is to receive the minutes and endorse the recommendations provided to Council by the Governance, Finance & Community Service Committee meeting held on Monday, 19 February 2018.

### ATTACHMENTS

1. Minutes - Governance, Finance & Community Service Committee - 2018/02/19

### RECOMMENDATION

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 19 February 2018 be received and the recommendations contained therein be adopted.

- GFC 34/18 Elected Members' Expenditure Report - November/December 2017 to January 2018
- GFC 35/18 Finance Report for January 2018
- GFC 36/18 Upgrade Lighting at Maidstone Park Number 1 Ground
- GFC 37/18 Australian Maritime Museums Council Annual Conference Devonport 2018
- GFC 38/18 Minutes of Council's Special Interest Groups and Advisory boards
- GFC 39/18 Community Services Report
- GFC 40/18 Governance & Finance Report

Author:	April Nelson	Endorsed By:	Paul West
Position:	Executive Assistant - Governance	Position:	General Manager



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**MINUTES OF A GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING OF  
THE DEVONPORT CITY COUNCIL HELD IN THE COUNCIL CHAMBERS  
ON MONDAY, 19 FEBRUARY 2018 COMMENCING AT 5:30PM**

**PRESENT:** Ald A L Rockliff (Chairman)  
Ald C D Emmerton  
Ald G F Goodwin (from 5:33pm)  
Ald A J Jarman  
Ald T M Milne

**Aldermen in Attendance:**  
Ald J F Matthews

**Council Officers:**  
General Manager, P West  
Executive Manager Corporate Services, J Griffith  
Executive Manager Organisational Performance, K Peebles  
Community Services Manager, K Hampton  
Convention & Arts Centre Manager, G Dobson

**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.

<b>1.0 APOLOGIES</b>
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The following apology was received for the meeting.

Ald S L Martin	Leave of Absence
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<b>2.0 DECLARATIONS OF INTEREST</b>
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There were no Declarations of Interest.

<b>3.0 PROCEDURAL</b>
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**3.1 PUBLIC QUESTION TIME**

Nil

**3.2 QUESTIONS FROM ALDERMEN**

Nil

**3.3 NOTICES OF MOTION**

Nil

**4.0 GOVERNANCE REPORTS****4.1 ELECTED MEMBERS' EXPENDITURE REPORT - NOVEMBER/DECEMBER 2017 TO JANUARY 2018 (D512500)****GFC 34/18 RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Emmerton

That it be recommended to Council that the report advising of Aldermen expenses be received and noted.

	For	Against		For	Against
Ald Emmerton	✓		Ald Milne	✓	
Ald Jarman	✓		Ald Rockliff	✓	

CARRIED UNANIMOUSLY

**5.0 FINANCE REPORTS**

Ald Goodwin attended the meeting at 5:33pm

**5.1 FINANCE REPORT FOR JANUARY 2018 (D512391)****GFC 35/18 RESOLUTION**

MOVED: Ald Emmerton  
 SECONDED: Ald Jarman

That it be recommended to Council that the Finance Report for January 2018 be received and noted.

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

CARRIED UNANIMOUSLY

**6.0 COMMUNITY SERVICES REPORTS****6.1 UPGRADE LIGHTING AT MAIDSTONE PARK NUMBER 1 GROUND (D511670)****GFC 36/18 RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Emmerton

That it be recommended to Council that it formally accept the State Government grant of \$62,295 and allow provision in the 2018/19 Capital Works Budget of \$62,295.

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

CARRIED UNANIMOUSLY

**6.2 AUSTRALIAN MARITIME MUSEUMS COUNCIL ANNUAL CONFERENCE DEVONPORT 2018 (D512978)****RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Goodwin

That it be recommended to Council that:

- a. Council host the Australian Maritime Museums Council Regional Workshop in October 2018; and
- b. commit \$20,000 in the 2018-19 budget to ensure the success of the event.

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

LOST

**GFC 37/18 RESOLUTION**

MOVED: Ald Goodwin  
 SECONDED: Ald Emmerton

That it be recommended to Council that:

- a. Council host the Australian Maritime Museums Council Regional Workshop in October 2018; and
- b. commit \$10,000 in the 2018-19 budget to ensure the success of the event.

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

CARRIED UNANIMOUSLY

**7.0 INFORMATION REPORTS****7.1 MINUTES OF COUNCIL'S SPECIAL INTEREST GROUPS AND ADVISORY BOARDS (D508824)****GFC 38/18 RESOLUTION**

MOVED: Ald Jarman  
 SECONDED: Ald Milne

That it be recommended to Council that:

- (a) the minutes of the Devonport Food and Wine Festival, Devonport Regional Gallery, East Devonport, Active City, & Liveable City Committees be received and noted; and
- (b) the Devonport Regional Gallery 2017-2021 Strategic Plan be noted.

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

CARRIED UNANIMOUSLY

**7.2 COMMUNITY SERVICES REPORT (D508825)****GFC 39/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Jarman

That it be recommended to Council that the Community Services report be received and noted.

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

CARRIED UNANIMOUSLY

**7.3 GOVERNANCE & FINANCE REPORT (D508827)****GFC 40/18 RESOLUTION**

MOVED: Ald Goodwin

SECONDED: Ald Emmerton

That it be recommended to Council that the Governance and Finance report be received and noted.

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

CARRIED UNANIMOUSLY

**8.0 CLOSED**

There being no further business on the agenda the Chairman declared the meeting closed at 5:53pm.

Confirmed

Chairman

## 8.0 CLOSED SESSION

### RECOMMENDATION

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

Item No	Matter	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
8.1	Application for Leave of Absence	15(2)(i)
8.2	Bass Strait Maritime Centre Cafe Lease	15(2)(c)
8.3	Lease of 62 Stewart Street, Devonport	15(2)(b)
8.4	33 & 35 Loane Avenue East Devonport	15(2)(f)

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## OUT OF CLOSED SESSION

### RECOMMENDATION

That Council:

- (a) having met and dealt with its business formally move out of Closed Session; and
- (b) resolves to report that it has determined the following:

Item No	Matter	Outcome
8.1	Application for Leave of Absence	
8.2	Bass Strait Maritime Centre Cafe Lease	
8.3	Lease of 62 Stewart Street, Devonport	
8.4	33 & 35 Loane Avenue East Devonport	

## 9.0 CLOSURE

There being no further business the Deputy Mayor declared the meeting closed at            pm.