

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL
HELD IN THE ABERDEEN ROOM, LEVEL 2, PARANAPLE CENTRE, 137 ROOKE STREET,
DEVONPORT ON MONDAY, 26 AUGUST 2019 COMMENCING AT 5:30PM**

| Meeting | From | To | Time Occupied |
|----------------|-------------|-----------|----------------------|
| Open Session | 5:30pm | 6:59pm | 1 hour 29 minutes |
| Closed Session | 7:07pm | 8:16pm | 1 hour 9 minutes |
| Total | | | 2 hours 38 minutes |

PRESENT: Cr A Rockliff (Mayor)
Cr A Jarman (Deputy Mayor)
Cr J Alexiou
Cr P Hollister
Cr L Laycock
Cr S Milbourne
Cr L Murphy
Cr L Perry

Council Officers:

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

Audio Recording:

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

1.0 APOLOGIES

The following apology was received for the meeting.

| | |
|-------------|------------------|
| Cr G Enniss | Leave of Absence |
|-------------|------------------|

2.0 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

| Councillor | Item No | Reason |
|-------------------|--------------------------|-------------------------------------------------------------------------------------------------------|
| Cr Murphy | Items 3.2.1, 3.2.2 & 8.6 | Responses to Questions Raised at Prior Meetings, Questions on Notice from the Public, Providore Place |
| Cr Milbourne | Items 8.5 & 8.6 | Providore Place Cooking Centre Lease, Providore Place |

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 22 JULY 2019**162/19 RESOLUTION**

MOVED: Cr Perry
 SECONDED: Cr Laycock

That the minutes of the Council meeting held on 22 July 2019 as previously circulated be confirmed.

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

3.2 PUBLIC QUESTION TIME

Cr Murphy having declared an interest in items 3.2.1 and 3.2.2 left the meeting at 5:33pm.

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS**163/19 RESOLUTION**

MOVED: Cr Laycock
 SECONDED: Cr Hollister

That the responses to questions from Mr Trevor Smith, Mr Tony Butler, Ms Jennie Claire, Mr Graeme Nevin and Mr Bob Vellacott at the 22 July 2019 Council meeting, from Mr Rodney Russell at the Infrastructure, Works & Development committee meeting on 12 August 2019, be noted.

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Perry | ✓ | |
| Cr Jarman | ✓ | | | | |

CARRIED UNANIMOUSLY

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC**164/19 RESOLUTION**

MOVED: Cr Perry
 SECONDED: Cr Hollister

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

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Perry | ✓ | |
| Cr Jarman | ✓ | | | | |

CARRIED UNANIMOUSLY

Cr Murphy returned to the meeting at 5:35pm.

3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

TREVOR SMITH – 7 GLEN COURT DEVONPORT

Q1 Earlier this year, your workers did a reseal, at 117 Best Street, Devonport, as the bitumen was starting to deteriorate. Will you be doing the same, replacing the temporary seal at 168-170 Best Street, as this section is starting to break up as well?

Q2 Under Australian Standards AS1657, the maximum height for steps is 225mm, your steps onto the stage, for Gospel Song, which was held on the 3rd floor of the paranple centre, on the 25th of July, were at least 400mm high. This created a great risk for the elderly members of the 11 Choirs, who had to step up onto the various levels of the stage. It was observed, that you had to have volunteers assisting the elderly members of each Choir onto these higher steps and off these steps, after each performance! One would have thought when this Council employs eningeers in this building, they would have come up with a safer design. Why doesn't safety of the public have a higher priority? If the stage setup works at the Don Centre, which is a much smaller venue, it should be able to happen here as well. If the stage area has to protrude further out into the audience, so be it, for the safety of the Choir members.

How can injuries be avoided from the revolving door, to the entrance and exit, of the paranple centre? An elderly patron was injured by this door, on the night of Gospel Song. One injury, is one too many, for ratepayers of this City. You don't have a revolving door, on the Rooke Street entrance, which works fine without one, so why do we have to have a revolving door, is it for prestige, as it is the only one in Devonport? Do we just let patrons get knocked over, when you have large events like this? Does it come down to cost once more, to rectify this situation?

What can be done about the speed settings of the escalators, in the paranple centre? On the same night, of the Gospel Song concert, a member of the public was also injured from exiting the escalator, this isn't the first time this has happened. Will the speed settings be decreased, and signage put in place, to warn the elderly, to watch their step exiting the escalators?

Response

The Mayor advised that as requested by Mr Smith the questions would be taken on notice and a response provided in writing.

DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT

Q1 Sometime ago the Council was measuring the gas flow from the old tip site at the Transfer Station, what was the outcome of that measuring assessment?

Response

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

Q2 In Stewart Street at the Post Office, there are five minute parking spots. What revenue does the Council get for these spots?

Response

The Mayor advised that there is no revenue because it is free parking for five minutes.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Q1. With reference to Item 8.4 “Lease – 21 Oldaker Street” listed for Closed Session tonight, and assuming the lease is from Council to an external entity, is there a written agreement between Council and the Crown (State Government) for the transfer of ownership of the old Library/LINC premises to Council and is the transfer of ownership now completed?

Response

The Acting General Manager advised that the development agreement that Council has with the State Government in regard to LIVING CITY Stage 1 has arrangements around the transfer of the Library building at 21 Oldaker Street to Council and that is in the process of being finalised.

Malcolm Gardam

So it is in the development agreement with the State Government, correct?

Response

Yes, an attachment to that agreement.

Malcolm Gardam

An attachment to that agreement?

Response

That was the overarching agreement that outlined the arrangement.

Malcolm Gardam

An attachment to that agreement?

Mayor

This isn't a debate Mr Gardam.

Malcolm Gardam

Clarification please Mayor, clarification.

Response

The Acting General Manager advised there was a document that specifically resulted around that transfer and from what I can recall that is referenced in the development agreement. So the development agreement is certainly the overarching document. There was a separate transfer document that was executed around the title transferring to Council.

Malcolm Gardam

The land title hasn't gone through yet?

Response

That's right there are a number of conditions that had to be finalised for that title to be transferred and it's very close to being completed.

Q2. With reference to Item 8.5 “Providore Place Cooking Centre Lease” and in particular Item 8.6 “Providore Place” both listed for Closed Session tonight, the latter is far too vague to appropriately satisfy the meeting regulations; accordingly is Council tonight considering a proposal to put to the Providore Place Head Lessee to reduce rent and/or waive arrears of rent to gain the Head Lessee approval for the TasTafe Drysdale cooking centre lease and is it correct that if the Providore Place head lease is valid Council cannot lease part of Providore Place to TasTafe unless the Head Lessee agrees?

Response

The Mayor responded, Mr Gardam as you have already stated, those items are in closed session so I won't be making any comment on them at this stage.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

There is much confusion, among many ratepayers and also it appears Council, as to the actual amount of rent revenue Providore Place Devonport Pty Ltd agreed to pay per year for the head lease of Providore Place.

Q1 Will you, for the record, inform ratepayers and others who are confused, categorically state what the specified amount that was agreed upon?

Response

The Mayor responded, no I can't.

Bob Vellacott

To clarify, I refer to a statement published in the Advocate 11th November 2016 about the 10 year head lease agreement between Council and Providore Place Pty Ltd; and I quote *"The Council confirmed the projected food pavilion income meets the previously released Stage 1 Projected Funding Model revenue for the site of \$400,000."*

Q2 Seeing as Council has previously proffered, that there was a 10 year head lease agreement and categorically stated the revenue for the site would be indeed \$400,000 per year, will you now inform has that amount been paid?

Response

The Mayor stated that is part of closed session and I will take your question on notice and a response provided in writing.

JENNIE CLAIRE – 57 GUNN STREET, DEVONPORT

Mayor, my question concerns the Arborist's report for the Waterfront Park.

On the 25th March this year I asked when Council was going to get the arborist report done. At that time four months had elapsed since the Parkland Plan was approved. The response from the General Manager was as follows and I am quoting from the minutes of that meeting.

"The General Manager advised at this stage there will be an Arborist engaged to undertake an assessment of the trees once the final plans are prepared for construction. It would be premature to appoint an Arborist to assess the trees, particularly in some cases where the trees are not going to be touched. So, until the final construction plan is completed, based on the feedback that Council gave to the Architects at the end of February, it would be premature to appoint an Arborist." (ref DCC Meeting minutes 25.3.19)

So, at that time, March 25th this year, we were given to understand that an arborist had not yet been appointed and no report had been done. Yet, when the report was placed on the Council website on 21st June, 2019 it was dated 10th March, 2019.

Mayor, can you tell us when the arborist was appointed and when the report was received by our Council and explain why the General Manager stated that an arborist had not been appointed when at the time that statement was made it seems that not only had the arborist been appointed, he had been to Devonport, inspected the trees and written the report?

Response

The Acting General Manager advised that the statement that the General Manager made at the time, was his understanding of the situation. When we did look into the files, we found that an arborist had done a study on a number of those trees, previously for different reasons. The Works Department had a study done and as a result of that, we didn't get them to come and do the same work again. We, I think from memory, got them to do some additional work, that wasn't part of the original assessment and then we put all that together. All that information was made available on the website.

So we are certainly not denying that we found some earlier information on file which we were able to use, but then we had some further work done and then all of that information that Council had in regard to the trees was made public via the website.

Jennie Claire

So, just to clarify, you are saying that the 10th March date refers to work done by the Works Department of the Council?

Response

There was some information that our Works Department had obtained for other reasons that the General Manager and people involved with LIVING CITY weren't aware of at the time. Rather than having that work done twice, we utilised that information and put it with new information and made all that publicly available.

Jennie Claire

Could I just point out for the benefit of the public gallery and the Councillors, that this is the cover of the ENSPEC Arborist report, that is the only arborist report that is on the Council website and it is dated the 10th of March. It is the report done by the arborist from Melbourne.

Response

The Mayor thanked Ms Claire and advised that we would follow up and ensure that we have the full report on the website. It is her understanding that all of the details that we have are available.

Jennie Claire

Yes, I am not disputing that the report is on the website, as that is where I got this from. What I am concerned about is the date, because the Council not only had the General Manager say that that report hadn't been done on the 25th March, this report was not released until half way through June on the Council website and it wasn't published in the Advocate until the 19th July, which is two weeks before the work on the parkland actually started. Which gave people, who may have wanted to comment on this report, very little time to say anything.

Response

Thank you Ms Claire, your comments are noted.

Q2 This question refers to the closure of the Redline bus depot in Devonport.

In June we learnt that the Redline bus depot was to close and that this was due to instructions from the Department of State Growth and that it was not the Redline bus company's preferred option to revert to a kerbside service. It was also reported that our Mayor said it would "*obviously be better for our constituents if there was an undercover facility.*" (Advocate, 25 June 2019)

However, it seems that the Redline bus will start and finish at the new upgraded bus facility that is being constructed in Rooke Street as part of the Living City Project. The Parkland Plan shows this 'upgraded facility' to be a number of shelters open on three sides facing east with what appears to be a concrete block on the ground, presumably for seating. Public outcry earlier in the year resulted in the concession of sides being placed on these shelters. They will still be open to the weather on one side.

Mayor, can we please have an updated and detailed artist's impression of what these shelters will look like? Also, can you tell us how this is an upgrade compared to sitting on upholstered seating in the comfort of a proper waiting room and then boarding the bus all the while being undercover as we have been doing for 37 years at the current Redline Depot?

Response

Thank you Ms Claire and certainly I take on board the comments around Redline Bus, however that is not a decision that Council has any influence over. I have made my position clear. Redline is a private contractor.

Jennie Claire

It wasn't Redline's choice to move, it was the Department of State Growth and Construction and I would have thought that our Council might have had some influence over the Department of State Growth.

Response

We have had conversations, certainly, but in the end it was a State Growth decision. As you have already commented we have made some quite considerable upgrades to the bus shelters as a result of the feedback that we had and I will make sure that we have those upgraded concept plans made available.

The Acting General Manager advised that the plans that Ms Claire was referring to are the most recent, there are no further artist's impressions.

IAN MARTIN – 11 NEWTON STREET, DEVONPORT

It is now almost ten years since the Julie Burgess Project was commissioned.

It is important for everyone to understand that the prime objective of this project was to enhance and promote the Maritime Heritage and History of Devonport to the wider community.

There have been other benefits that have flowed but, the promotion of the City has always been at the forefront.

The City has now attracted a national Maritime Conference, presented by the Australian Maritime Museums Council, in October.

It is also intended that the Endeavour replica will visit Devonport to mark the 250th Anniversary of Captain Cook's arrival in Australia.

Therefore, the question is has the Julie Burgess delivered on the prime objective to enhance and promote the Maritime Heritage and History of Devonport?

It is not for me to provide the answer, however, there is no doubt that it is unequivocally YES!

Response

The Mayor advised that as you are aware it is an item on our agenda tonight, so I cannot make any comment.

MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA

Q3. This question relates to the various aspects of the Tasmanian Land Titles Office Transfer M732386 which records a Duty payment of \$490,185 for the land title transfer of the New Crown Premises within the paraple centre building, including a proportion of the land the building sits on. Will Council confirm if this payment was made by Council and if so how much did the Crown reimburse Council and was the Duty of \$490,185 included in and expended/accounted against the Stage 1 budget allowances?

Response

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

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

I preface my comments and question does not in any way refer to the newly elected Councillors, however, it should be of interest to them and all ratepayers.

I refer to Council's 2017 Annual Report Living City Highlights where ironically under the heading a secret deal was exposed.

This was for some \$1,993,626 or approximately \$2M paid to Projects and Infrastructure Pty Ltd (P+i) who were Devonport Council's Living City consultants and managers.

Council has continually refused to disclose what this was for.

Several aldermen including one who was actually a Council member of the Audit Panel admitted they thought the payment of \$2M was the total of all other payments made over several years to P+i and thus were unaware what that payment was actually for; I wonder if they have found out yet or are they still in the dark.

Q3 I now ask you Mayor, who is responsible for drafting of the agreement that stipulated that the amounts in question to be paid was NOT to be revealed to ratepayers?

Response

The Mayor responded, Mr Vellacott I am assuming that would have been a decision of Council at that time.

TREVOR SMITH – 7 GLEN COURT DEVONPORT

Q3 With regards to the Gospel song night, could each of the Choirs that are singing on the night be live streamed to the Council Meeting rooms? This would allow the singers, to visually watch the other performers sing their songs! If it can be done at the Don Centre Church in previous years, it should be able to happen at the paranaple centre with technology.

Response

The Mayor advised that it was a very good suggestion and would be taken on board, also as requested by Mr Smith the questions would be taken on notice and a response provided in writing.

3.3 QUESTIONS FROM COUNCILLORS

Nil

3.4 NOTICES OF MOTION

3.4.1 SENIOR CITIZENS CLUB PARKING – NOTICE OF MOTION – CR A JARMAN (D612555)

165/19 RESOLUTION

MOVED: Cr Jarman

SECONDED: Cr Murphy

That Council hold a workshop to discuss the possibility of allowing a permit for all Senior Citizens Club members to be able to access parking at the boat ramp car park during the out of season months eg April through October.

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

3.4.2 LAND SALE – SPREYTON – NOTICE OF MOTION - CR S MILBOURNE (D612569)**166/19 RESOLUTION**

MOVED: Cr Milbourne

SECONDED: Cr Jarman

That Council investigate selling the vacant land at 16 Woodrising Avenue, keeping one block and a pathway for public space.

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

3.4.3 PATHWAY FEASIBILITY STUDY - CR S MILBOURNE (D612577)**167/19 RESOLUTION**

MOVED: Cr Milbourne

SECONDED: Cr Perry

That Council investigates the costs and environmental impact of a path from Mulligan Drive, Spreyton and subsequent bridge over Figure of Eight creek to Maidstone Park.

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

Cr Murphy

Point of order, point of order, Mayor, if I may. I do have another Notice of Motion to be tabled.

Mayor

A notice of motion?

Cr Murphy

Yes, that's correct.

Mayor

I will seek advice from the Acting General Manager.

Acting General Manager

Yes, through you Madam Mayor. Council is only able to consider items that are on the agenda, unless a number of things outlined in the Act are met. It needs to be an urgent matter, there needs to be a good reason why it wasn't on the agenda and the General Manager also needs to be confident that the necessary qualified advice can be provided. Otherwise, Council is unable to add an item to the agenda.

Mayor

Thank you.

Cr Murphy

I beg to differ, Section 16 of the Meeting Regulations; "if during a meeting, a Councillor intends to move a motion, of which notice has not been given, the Chairperson of the meeting may require the Councillor to provide a written copy of the motion", one written copy, that is subsection 1 of the Act. "The Chairperson of a meeting is not to allow a motion to be debated or otherwise dealt with unless it has been moved by one Councillor and seconded by another Councillor."

Mayor

I will just suspend the meeting, may I see the motion please?

Cr Murphy, if I allow this both myself and the Acting General Manager will need to leave the room.

Cr Murphy

I would need to seek clarification on that.

Acting General Manager

My advice Mayor stands, as I have previously said.

Mayor

At the risk of being considered shutting down Cr Murphy, you can put it on the next agenda. Thank you.

Cr Murphy

I don't think that would be acceptable Mayor in relation to it is pertaining to agenda items on this particular meeting and I think it is pertinent that it at least should be put.

Mayor

In that case, I will allow it and I will allow the Councillors present to make that decision.

Cr Murphy

Thank you. So is the process now, I read the motion, or do I give that to, I'm quite happy to read it.

Mayor

I will need to vacate the Chair. I will ask the Deputy Mayor.

Deputy Mayor

Do you want to suspend the meeting to discuss outside of the meeting.

Mayor

I don't think that is appropriate, I will allow the motion to be put, I will ask you to take the Chair please.

Cr Rockliff declared an interest in the next item and left the meeting at 6:12pm.

The Deputy Mayor took the Chair at 6:12pm.

Deputy Mayor

Sorry about that. I will just explain what I am going to do with this meeting then, for the moment. I will just find out from the Acting General Manager what his advice is to decide how we go forward.

Acting General Manager

Based on the motion being accepted, a resolution passed by absolute majority will be required to bring the item onto the agenda and then it can be considered by Council.

Cr Milbourne and Acting General Manager, Matthew Atkins declared an interest in the next item and left the meeting at 6:14pm.

Deputy Mayor

Cr Murphy, could you please read out the notice of motion.

Cr Murphy

I will provide it in writing.

The motion is: That a motion of no confidence be moved against the Mayor and Acting General Manager in relation to lack of proper governance with respect to agenda items 8.5 and 8.6 of the agenda of the Ordinary Meeting held Monday, 26 August 2019.

Deputy Mayor

I have been instructed by the Acting General Manager, seeing as he had to leave the room, he had to give me some advice, we need an absolute majority for that motion to be successful.

So Cr Murphy, do you want to forward that motion yourself.

Cr Murphy

I can move the motion, yes.

3.4.4 MOTION OF NO CONFIDENCE - NOTICE OF MOTION - CR L MURPHY

RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Alexiou

That a motion of no confidence be moved against the Mayor and Acting General Manager in relation to lack of proper governance with respect to agenda items 8.5 and 8.6 of the agenda of the Ordinary Meeting held Monday, 26 August 2019.

| | For | Against | | For | Against |
|--------------|------------|----------------|------------|------------|----------------|
| Cr Alexiou | ✓ | | Cr Laycock | | ✓ |
| Cr Hollister | | ✓ | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | | ✓ |

LOST

Cr Milbourne returned to the meeting at 6:22pm.

Cr Rockliff and the Acting General Manager returned to the meeting at 6:23pm.

Mayor Rockliff resumed the Chair at 6:23pm.

4.0 PLANNING AUTHORITY MATTERS

There were no items to consider as a Planning Authority.

5.0 REPORTS

5.1 JULIE BURGESS OPERATIONAL REVIEW (D575887)

MOVED: Cr Laycock

SECONDED: Cr Hollister

That in relation to the Julie Burgess operations, Council continue operating as per existing arrangements and consider additional marketing and associated cost implications as part of the 2020/21 budget deliberations.

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | | ✓ | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | | ✓ |
| Cr Jarman | | ✓ | Cr Perry | | ✓ |

168/19 RESOLUTION

MOVED: Cr Jarman

SECONDED: Cr Alexiou

Advertise for expressions of interest to sell or gift the vessel to a suitable operator or to enter into a partnership agreement with the Devonport City Council.

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | | ✓ |
| Cr Alexiou | ✓ | | Cr Milbourne | | ✓ |
| Cr Hollister | | ✓ | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED

5.2 NATIONAL TRUST AUSTRALIA (TASMANIA) PARTNERSHIP AGREEMENT FOR HOME HILL (D600815)**169/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council approve the renewed three-year Home Hill 2019 to 2021 partnership agreement, between National Trust Australia (Tasmania) and the Devonport City Council.

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

6.0 INFORMATION**6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D561338)****170/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Milbourne

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

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

6.2 MAYOR'S MONTHLY REPORT (D563539)**171/19 RESOLUTION**

MOVED: Cr Laycock

SECONDED: Cr Perry

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

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

6.3 GENERAL MANAGER'S REPORT - AUGUST 2019 (D561419)**172/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Milbourne

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

| | For | Against | | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

7.0 SECTION 23 COMMITTEES**7.1 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 12 AUGUST 2019 (D612686)****173/19 RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Jarman

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 12 August 2019 be received and the recommendations contained therein be adopted.

IWC 27/19 Contract 1335 Waterfront Park Superintendent Consultancy

IWC 28/19 Public Lighting Strategy - Year 5 Status

IWC 29/19 Road Network Strategy - Year 4 Status

IWC 30/19 Dog Management Policy

IWC 31/19 Asset Management Policy

IWC 32/19 Development and Health Services Report

IWC 33/19 Infrastructure and Works Report

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

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

IWC 27/19 Contract 1335 Waterfront Park Superintendent Consultancy

That in relation to Contract 1335 - Waterfront Park Superintendent Consultancy, Council award the contract to 6TY for the tendered sum of \$9,100 per month (ex GST).

IWC 28/19 Public Lighting Strategy - Year 5 Status

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

IWC 29/19 Road Network Strategy - Year 4 Status

That the report of the Infrastructure and Works Manager be received and that the status of actions listed in the Road Network Strategy 2016 be noted.

IWC 30/19 Dog Management Policy

That Council endorse the revised draft of the Dog Management Policy for a 21-day public consultation period and that a further report be provided to Council regarding any submissions which are received.

IWC 31/19 Asset Management Policy

That the revised draft of the Asset Management Policy be adopted.

IWC 32/19 Development and Health Services Report

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

IWC 33/19 Infrastructure and Works Report

That the Infrastructure and Works report be received and noted.

7.2 PLANNING AUTHORITY COMMITTEE MEETING - 19 AUGUST 2019 (D613279)

174/19 RESOLUTION

MOVED: Cr Milbourne

SECONDED: Cr Jarman

That the minutes of the Planning Authority Committee meeting held on Monday, 19 August 2019 be received and the recommendations contained therein be adopted.

PAC 14/19 Planning Applications approved under Delegated Authority 24 June 2019 - 8 August 2019

(Approved under delegated authority)

PAC 15/19 PA2019.0107 - 18 Victoria Parade Devonport

(Approved under delegated authority)

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

DELEGATED DECISIONS OF THE PLANNING AUTHORITY NOTED BY COUNCIL**PAC 14/19 Planning Applications approved under Delegated Authority 24 June 2019 – 8 August 2019**

That the list of delegated approvals be received.

PAC 15/19 PA2019.0107 – 18 Victoria Parade, Devonport

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2019.0107 and grant a Permit to use land identified as 18 Victoria Parade, Devonport for the following purposes:

- Permitted: Food Services
- Discretionary: Provision for parking (lesser number of spaces on site)

Subject to the following conditions:

1. The use is to be undertaken in accordance with the operational details submitted by the applicant, details of which are attached and endorsed as documents forming part of this Planning Permit. These include but are not limited to ensuring that:
 - (a) The maximum number of seats for the Food services use (café/coffee bar) is not to exceed 20 placements;
 - (b) Five (5) dedicated car parking spaces for the Food services use (café/coffee bar) are to be maintained on site;
 - (c) Suitable directional signage is placed to encourage customers to park on site.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code.

The developer is to obtain the necessary building and plumbing approvals and provide the required notifications and certifications in accordance with the *Building Act 2016* prior to commencing operation of the cafe. A referral to TasWater may be required to determine any trade waste requirements.

As the activities of the business include the handling and sale of food, the business operator must contact the Council to confirm their requirements under the Food Act 2003.

8.0 CLOSED SESSION**175/19 RESOLUTION**

MOVED: Cr Perry
 SECONDED: Cr Milbourne

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

| Item No | Matter | Local Government (Meeting Procedures) Regulations 2015 Reference |
|----------------|-----------------------------------------------------------------|-------------------------------------------------------------------------|
| 8.1 | Confirmation of Closed Minutes - Council Meeting - 22 July 2019 | 15(2)(g) |
| 8.2 | Application for Leave of Absence | 15(2)(h) |
| 8.3 | Unconfirmed Minutes – Joint Authorities | 15(2)(g) |
| 8.4 | Lease – 21 Oldaker Street | 15(2)(b) |
| 8.5 | Providore Place Cooking Centre Lease | 15(2)(c) |
| 8.6 | Providore Place | 15(2)(c),(i) |

| | For | Against | | For | Against |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff | ✓ | | Cr Laycock | ✓ | |
| Cr Alexiou | ✓ | | Cr Milbourne | ✓ | |
| Cr Hollister | ✓ | | Cr Murphy | ✓ | |
| Cr Jarman | ✓ | | Cr Perry | ✓ | |

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 6:59pm to reconvene in Closed Session at 7:07pm

The Council moved out Closed Session at 8:16pm.

Council resumed in open session at 8:16pm.

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

| Item No | Matter | Outcome |
|----------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| 8.1 | Confirmation of Closed Minutes - Council Meeting - | Confirmed |
| 8.2 | Application for Leave of Absence | Approved |
| 8.3 | Unconfirmed Minutes – Joint Authorities | Noted |
| 8.4 | Lease – 21 Oldaker Street | Lease agreed, the Mayor to make a public announcement at a time with agreed tenant. |
| 8.5 | Providore Place Cooking Centre Lease | Lease with TasTafe agreed. |
| 8.6 | Providore Place | Authorise the Mayor to make any announcement necessary as a result of the Council decision at the appropriate time. |

CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 8:16pm.

Confirmed

Chairman