

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL  
HELD IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre, 137 ROOKE STREET, DEVONPORT  
ON MONDAY, 16 DECEMBER 2019 COMMENCING AT 5:30PM**

| <b>Meeting</b> | <b>From</b> | <b>To</b> | <b>Time Occupied</b> |
|----------------|-------------|-----------|----------------------|
| Open Session   | 5:30pm      | 6:18pm    | 48 minutes           |
| Closed Session | 6:22pm      | 7:09pm    | 47 minutes           |
| Total          |             |           | 1 hour 35 minutes    |

**PRESENT:** Cr A Rockliff (Mayor)  
Cr A Jarman (Deputy Mayor)  
Cr J Alexiou  
Cr G Enniss  
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  
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 Digital Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

The following Declaration of Interest was advised:

|           |     |  |
|-----------|-----|--|
| Cr Murphy | 5.2 | Unconfirmed Minutes – Annual General Meeting – 9 December 2019 |
|-----------|-----|--|

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING – 25 NOVEMBER 2019**

**255/19 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Milbourne

That the minutes of the Council meeting held on 25 November 2019 as previously circulated be confirmed.

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

CARRIED UNANIMOUSLY

### 3.2 PUBLIC QUESTION TIME

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

##### 256/19 RESOLUTION

MOVED: Cr Laycock  
SECONDED: Cr Milbourne

That the responses to questions from Ms Jennie Claire, Mr Chris Mills, Mr Bob Vellacott and Mr Trevor Smith at the 25 November 2019 Council meeting be noted.

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

CARRIED UNANIMOUSLY

#### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

##### 257/19 RESOLUTION

MOVED: Cr Perry  
SECONDED: Cr Hollister

That Council in relation to the correspondence received from Mr Bob Vellacott endorse the response proposed and authorise its release.

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

CARRIED UNANIMOUSLY

#### 3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

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

**Q1** You recently completed the Adelaide Street upgrade, how long has this job been on the Council's work schedule? What was the final cost of the project? Why have the raised bitumen sections been put in place, at either end of the street, these are not on any other street entrances around Devonport?

**Response**

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

- Q2** I received your response to Question one, at last month's meeting on Monday th 25<sup>th</sup> of November. You stated in your reply, that the mowing at 33 Dana Drive is scheduled to be completed by Friday the 6<sup>th</sup> of December. Why was the job not completed till the 13<sup>th</sup> of December, did you have a stuff up with your dates? Is it little wonder that the ratepayers of Devonport don't ask to get things done, when you have blunders like this happening! Will your managers, have to place a greater emphasis on getting the job completed, as stated by the Acting General Manager?

**Response**

The Mayor advised that she would take this as a comment.

**CHRIS MILLS – 52 CAROLINE STREET, EAST DEVONPORT**

- Q1** I am referring to the removal of almost half of 24 mature trees that stabilise a 'hazardous landslip zone' at 54 Caroline Street, next to my home. This front row of trees along the top of a steep slope were removed at short notice by Council on 5 November.

I have a letter from Mr Paul West dated 28 August 2017 that states, quote: "Council are aware that the removal of these trees may cause some destabilisation of the land".

As the General Manager was well aware that the removal of this row of trees may trigger landslip and put adjacent homes at risk of structural damage, did a suitably qualified person conduct a Geological Soil Analysis to determine the increased risks of erosion by heavy rainfall runoff before this row of mature trees was removed?

- Q2** Lot 3 of the Mersey View Court development, which overlooks the landslip zone, has been artificially elevated by the owner.

Did the Parks and Reserves team take into account the effect of intense rainfall run off from the northern end of the artificially elevated Lot 3 before they removed the front row of mature trees that were stabilising the landslip zone?

**Response**

The Acting General Manager advised that we have had a number of letters from Mr Mills in regard to this matter, most recently he made a formal complaint about the actions that Council has taken and therefore the matter is currently being investigated.

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

- Q1** At the south-east corner of the paranable centre in the laneway there is some shopping trolleys there in front of the Fire Hydrant Booster doors. In addition to making access to the hydrant doors slower, it is not a good look. As well there is supposed to be 24/7 security surveillance.

What is the Council doing to ensure there is nothing in front of the Fire Hydrant Booster doors from now on?

**Response**

The Mayor advised that the question would be taken on notice.

**Q2** Since September 2019 the Council has been the owner of what was the derelict former library building that was empty for 12 months.

What is the maintenance plan for the Council's new asset particularly the building façade which is in need of attention?

**Response**

The Acting General Manager advised that Council has entered into a lease for that property, the maintenance requirements as part of that lease is that the day to day internal maintenance is done by the tenant. Council is responsible for the base build maintenance. At this stage there are no plans for any major capital upgrade or improvements to the building. The tenant will be occupying it and we understand starting to operate a school from January next year.

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

**Q1.** At the Annual General Meeting I attempted to ask a Q2 without notice in relation to the Providore Place initial head lease agreement but was interrupted part way through by the Mayor and without hearing the question ruled that it not be accepted unless put in writing.

Having since put that question in writing to the Mayor and Councillors I will again endeavour to present the question.

Firstly, to put it into proper context, according to Council the initial head lease agreement for Providore Place was one of only two significant Living City contracts that legal advice was not sought on prior to entering the agreements. Therefore the importance of this question as to which person or persons made that decision for Council at the time. In other words was it a decision of the then General Manager, General Manager on recommendation from the Deputy General Manager, Mayor, Executive Management Group or all Councillors in meeting?

**QUESTION** - Thanks to the Report of the Auditor-General No. 1 of 2019-20 much has now been exposed, but not all, in relation to what has proven to be a grossly deficient head lease agreement entered into by Council in the full knowledge, among other matters, that the lease was primarily drafted by Projects & Infrastructure whose key operatives were owners and directors of Providore Place Devonport Pty Ltd, the Head Lessee, a number of standard conditions were missing from the document and Council had not engaged any independent legal advice on what should have been a relatively complex document if it was to adequately protect the best interests of the ratepayers; accordingly, who (be that one or more than one person) determined on behalf of Council not to engage independent legal advice prior to entering the initial head lease agreement for the Food Pavilion?

**Response**

The Mayor advised that the Deputy General Manager wrote that report, the General Manager signed off on that agenda for that particular meeting and the Council of the day, accepted the recommendation and voted to accept that recommendation at that time.

**Q2.** Will Council please indicate which subsection or sections of Section 76 of the Local Government Act (Writing off bad debts) Council relied upon to justify waiving of the some \$163,000 of previously unpaid rent owed by Providore Place (Devonport) Pty Ltd around September 2018 as since reported on and confirmed by Council as having occurred?

**Response**

The Mayor advised that the question will be taken on notice.

**PETER STEGMANN – 118 RIVER ROAD, EAST DEVONPORT**

**Q1.** At the last Annual General Meeting last week I had a motion to put up to the Council, but Mayor you decided to take questions first and said that you would take motions next, and that opportunity didn't arise for me to put this motion. You closed the meeting prematurely for some reason I am not aware of and a few others are unsure of too.

I will put the question as a question instead of a motion that I was going to hope that the people that were here would be able to vote on. I will put a question to the Council and ask them whether you would consider doing this.

1. To prepare a draft and implement a commercial lease policy.
2. Prepare a non commercial in confidence lease register detailing firstly, the location of premises owned by Council, secondly the area leased, thirdly the rental amount, the rent per square metre let, costs if any for fit out and whether these are recovered over the term of the lease and lastly the date and the amount of the last market valuation and market rental for the premises.

**Response**

The Mayor advised that the question would be taken on notice and added that the Annual General Meeting agenda was out several weeks before the night of the meeting and everyone had the opportunity to put a notice of motion, in writing as Mr Vellacott did, which would have avoided the issue that you raised.

**Q2** To date a disproportionate amount of money has been allocated to develop West Devonport. What plans does the Council have to rejuvenate East Devonport, were the tourists arrive and depart?

**Response**

The Acting General Manager advised that Council were successful in getting a \$3M grant commitment from the Federal Government to upgrade the entrance into the Ferry Terminal and we are currently working with design consultants. There has been some delays to the project while we wait on the outcome of any impact of the new Spirits and what they might do to the berthing arrangements.

**Peter Stegmann**

Is that the limit of your progress at the moment, because there is more to East Devonport than that little area. There is the whole area where the tourists arrive, drive in and out this time of the year, in broad daylight, in the morning and at night and a lot could be done to try and improve that area to make it look as though it is not a poor man's backyard.

**Response**

The Acting General Manager advised that this is the most significant project that Council has planned in East Devonport and it includes improving the aesthetics of the entry but there is a number of other jobs in our Capital Works Program that relate to East Devonport.

The Mayor stated that we have spent a considerable amount at the end of Melrose Street where we have got a new toilet block, new playground and new fitness equipment, access to the beach all of those things and I know that a lot of people who are waiting to access the Spirits use that area as a rest area and it is as much about the community as the visitors.

**JENNIE CLAIRE – 57 GUNN STREET, DEVONPORT**

I have a question here and its got fourteen points on it about the playground, the toilet block and barbecue area and it might take a little bit too long to read them all, so I would just like to ask if that could be included in the minutes without me reading them, or I could read them.

**Response**

The Mayor advised that whatever Ms Claire presented in writing would be included in the minutes.

**Jennie Claire**

The question I have got here is, when the AGM motion comes up for consideration in this meeting and Councillors vote on this motion that has to be considered because it was presented by me at the AGM and passed. Do Councillors have the option to vote no, to the recommendation? Because I have been told that Councillors have no choice but to vote yes?

**Response**

I am not sure who told you that Ms Claire, but that is obviously, absolutely untrue.

**Jennie Claire**

I stated in the preamble to my motion several reasons why this placement of the toilet block, BBQ and playground is problematic. There are others so I have compiled a quick summary as time is limited.

It spoils the view from the track of the river.

It spoils the view of the waterfront from the river, for example, from the Spirit.

It is far from parking.

The space is very small therefore the playground will be small.

The BBQ at the side of the toilet block and the picnic tables right in front of the toilet doors is inappropriate.

The playground has no proper fence between it and the track or the river and is therefore unsafe.

Cyclists whizzing past may knock down a child crossing the track. The placement of bushes in the plan reduces visibility.

Wash from passing ships which is at times considerable has the potential to wash a child off the steps.

It is colder and windier beside the river therefore the playground may be used less.

The sunken pit design will cause extra maintenance as it is likely that leaves and rubbish will be blown into this area and collect there.

This area may attract an undesirable element at night who may leave rubbish and worse, possibly syringes, in the space which will require checking every morning.

The space is overpassed by the walkway. This will create a large block of shade over the playground which may make it colder and less attractive to use.

Items may be dropped from the walkway into the playground, thus endangering children.

The cost of the Waterfront Park is large. A large playground would be more commensurate with that cost.

If it is the case that it is too difficult and too costly to move the three items, I suggest you consider removing them from the plan altogether. This would be preferable to

creating a dangerous space that is likely to be under-utilised, expensive to maintain and may attract an undesirable element. It would also save the most open and unobstructed section of the walking track not only for the enjoyment of those who walk along it and those who view it from the river but because it is one of the jewels in the crown of Devonport's natural beauty which should be respected and preserved.

So, my question is "if the Council will not move the three items, toilet block, BBQ area and playground due to the cost, will the Council consider removing them from the plan altogether?"

**Response**

The Mayor advised that the matter is listed as an agenda item later in the meeting.

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

Mayor and Councillors, preamble to my question. Simple calculations based on the Auditor General's report of the paranple centre building cost being \$45.6 million not including the cost of land.

Also the assessed area of the building being 43% purchased by the State Government for \$13 million, this reveals that the State Government has been subsidised by ratepayers for some \$6.6 million, or in round figures with other costs approximately \$7 million.

In other words it looks like the Deputy Premier The Honourable Jeremy Rockliff as the responsible minister (who signed the 2016 development agreement on behalf of the State Government) paid \$13 million to the Devonport Council with one hand but has taken over part of the building worth \$19.6 million with the other.

Obviously a good sleight of hand and a great deal for the Tasmanian Government. It is questionable whether the State Government should have taken advantage of what appears to have been our former Mayor Martin, Councillors and senior management's, at that time, lack of experience in dealing with such complex matters.

One could say it looks like the Deputy Premier let the people of Devonport down. Or to use good old Aussie lingo "*he pulled a swiftie and we were taken for a ride.*"

There is however an opportunity to rectify the imbalance – simply if Council, along with the support of Councillor Perry, who I understand is one of the Premier's advisers and if he and you all are fair dinkum in looking after ratepayers best interests you will as requested in my question make representation on behalf of the ratepayers and ask the State Government to pay a fair price for the 43% of the paranple building and land from the "*Northern Cities Major Development Initiative*".

**Q1** Mayor and Councillors, because the Tasmanian State Government has taken advantage of Council in regard to the sale of part of the paranple centre at an estimated discount of some \$6.6 million), will Council make representation on behalf of the ratepayers to the State Government to make good the stated amount or more? Note the Premier is on record (Advocate December 2015) as saying the Government was prepared to "*play its role*" to see the Living City Plan come to fruition.

**Response**

The Mayor advised that the question would be taken on notice.

However I would suggest that if you have an issue with Mr Rockliff you should take it up with the Deputy Premier, thank you.

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

**Q1** But if you drive off, people come off our ships and drive into Devonport, what have they got to look at? You come across the bridge and you look up on the left and all you see is a few advertising signs and the grass is higher than me. It's a shambles and it's disgusting. I had some people here from Queensland and they said, that if that was in Queensland where their main start was, they would drive somewhere else.

**Response**

The Mayor advised that is a State Government responsibility and we have had constant conversations with them about ways that we want to improve it. We certainly don't disagree with you, thank you.

**Q2** The other thing is, there are garbage cans around parks and everything. I don't think it probably has a lot to do with the Council, but could somebody tell me who cleans them? When you see kids putting rubbish in them and there is spew and stuff coming out of them and they are all full. You go and have a look at them in the Mall after they have been emptied, the parts that should be cleaned I believe are where your arms and that go in.

**Response**

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

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

At the AGM I noted that the Mayor, at least twice tried to hurry up the meeting, any reason why?

**Response**

The Mayor stated that an Annual General Meeting shouldn't really take an hour and a half.

**CHRIS MILLS – 52 CAROLINE STREET, EAST DEVONPORT**

I think the Acting General Manager made a few comments after my two questions, I'm sorry, I missed them, but my questions are very serious and I with respect would ask you to take them seriously too.

**Mayor**

We absolutely did Mr Mills and I think the response was that we will respond to you in writing.

**Q3** Given that this increased rainfall run off will speed up soil erosion on the landslip slope, then surely Council is responsible to install a land drain, otherwise known as an Interceptor Drain, along the 30m length of Lot 3's northern boundary to divert water run off from the now treeless top of the landslip zone?

**Response**

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

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

**Q3.** It is regrettable to find it necessary to express absolute bewilderment and disgust at how the Mayor abruptly closed the Annual General Meeting in the full knowledge there were those in the gallery wishing to raise further matters from the floor. It is even more disgusting as the meeting had just immediately before unanimously passed a Motion that Council commit to Good



Governance principles including responsive, participatory and inclusive and consensus orientated)

The Audio Recording indicates at 1:23:15:

Mayor Rockliff – “That being said I will close.... “

Bob Vellacott in the background from the Gallery – “I have a further motion”

Mayor Rockliff – “No Mr Vellacott I'm sorry I will close the meeting, thank you....”

Bob Vellacott in the background from the Gallery – “...I ask for a procedural motion.....”

Mayor Rockliff “.....at 6:24pm. The Meeting is ..... ” SO ENDETH THE RECORDING.

Accordingly, my question to the Mayor is what specific meeting rules and authority did you rely on to close the Annual General Meeting, a meeting of electors chaired by the Mayor and not an ordinary council meeting, while not providing the decency of gauging the meeting of any further business, refusing to accept a point of order or a procedural motion, and openly ignoring that at least one further ratepayer Motion from the floor was flagged? I'd like to know what meeting rules we operate with at the Devonport City Council in terms of the AGM.

### **Response**

The Mayor advised that her understanding of the AGM is that the matters that are raised, should be raised on notice and publicly declared, similar to Mr Vellacott's motion, that he did raise and everyone else had the opportunity to raise as well. I took the opinion and it was my decision and I take full responsibility for that, but everyone had had an opportunity.

### **Mr Gardam**

I also had a motion that I wished to put but I take your point about motions on notice, I just didn't have time previously, but I would be most appreciative if you can point me to the meeting rules that gave you the power without actually canvassing the meeting of electors at an AGM as to whether there was any further business and engage the business that was coming forward whether you would accept that or not.

### **Mayor**

I'll take that on notice and respond to you however, it is my belief that as the Chair I have that responsibility, thank you.

### **JENNIE CLAIRE – 57 GUNN STREET, DEVONPORT**

One of the things I think is very dangerous about this playground area is the river itself. I believe it is an unknown quantity for many people. Tourists are especially at risk as they cannot be expected to know what even some local people do not know. I refer to the danger from the wash from passing ships. We can be lulled into a false sense of security regarding this danger as it is not there all the time and some people have not seen it. Factors such as the speed at which the ships are travelling and the state of the tide cause huge variations and the really dangerous wash occurs rarely. But we only need to look at the excellent fencing and the signage at Mussel Rock, placed there by the Council, to know that the wash is dangerous. The sign is there that tells you that.

The Council is also to be commended for the installation of the life buoys at the two points on the Bluff which will make a valuable contribution to safety in that area.

So putting all these factors together, I believe there is significant concerns that the playground is dangerous and it is highly likely that a fence will need to be built. The possibility that this could be done was established by Cr Jarman last week.

It is likely that large warning signs would also be needed in a prominent site for a life buoy such has been installed at the Bluff and all these things will detract from the area.

As Councillors, you are the custodians of Devonport, the people of Devonport have voted for you so that you can represent their interests. You are in control of Living City, Living City does not control you. I urge you to examine your heart and your conscience and to ask yourselves the question.

Will you vote to ensure the safety of the children of Devonport and that will require voting, no, to the recommendation later when it comes up in the meeting?

**Response**

The Mayor advised that as you have already pointed out there is a report later in the meeting where we will deal with that, thank you.

**3.3 QUESTIONS FROM COUNCILLORS**

Nil

**3.4 NOTICES OF MOTION**

Nil

**4.0 PLANNING AUTHORITY MATTERS**

There were no items to consider as a Planning Authority.

**5.0 REPORTS**

**5.1 TENDER REPORT CONTRACT CT0245 BUS STOP WORKS**

**258/19 RESOLUTION**

MOVED: Cr Milbourne

SECONDED: Cr Laycock

That Council, in relation to Contract CT0245 Bus Stop Works and subject to the execution of a Grant Deed:

- a) award the contract to CBB Contracting for the tendered sum of \$368,422 (ex GST);
- b) note project management costs are estimated at \$15,800 (ex GST);
- c) note costs associated with utility services, trees, plants and signage purchases are estimated at \$28,700 (ex GST); and
- d) note a contingency allowance of \$73,684 (ex GST).

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

CARRIED UNANIMOUSLY

Cr Murphy left the meeting at 6:07pm.

**5.2 UNCONFIRMED MINUTES - ANNUAL GENERAL MEETING - 9 DECEMBER 2019****259/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Ennis

That Council note the minutes from Council's 2019 Annual General Meeting (AGM) and having considered the four motions from the meeting, schedule a workshop session to:

1. review Council's approach regarding items considered in Closed session; and
2. consider options that are within Council's control to ensure the AGM is held as early as possible each year.

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

CARRIED UNANIMOUSLY

Cr Murphy returned to the meeting at 6:12pm.

**5.3 CORPORATE CLIMATE CHANGE ADAPTATION PLAN - YEAR ONE STATUS****260/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Hollister

That Council receive the report of the Executive Officer Community Services and the status of actions listed in the Corporate Climate Change Adaptation Plan 2018-2023 be noted.

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

CARRIED UNANIMOUSLY

**5.4 UNCONFIRMED MINUTES - AUDIT PANEL - 18 NOVEMBER 2019****261/19 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Perry

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 18 November 2019.

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

CARRIED UNANIMOUSLY

**6.0 INFORMATION****6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING  
262/19 RESOLUTION**

MOVED: Cr Perry  
 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 Ennis     | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

**6.2 MAYOR'S MONTHLY REPORT  
263/19 RESOLUTION**

MOVED: Cr Murphy  
 SECONDED: Cr Alexiou

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

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

CARRIED UNANIMOUSLY

**6.3 GENERAL MANAGER'S REPORT - DECEMBER 2019  
264/19 RESOLUTION**

MOVED: Cr Jarman  
 SECONDED: Cr Ennis

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 Ennis     | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

|                                  |
|----------------------------------|
| <b>7.0 SECTION 23 COMMITTEES</b> |
|----------------------------------|

**7.1 PLANNING AUTHORITY COMMITTEE MEETING - 2 DECEMBER 2019****265/19 RESOLUTION**

MOVED: Cr Hollister  
 SECONDED: Cr Milbourne

That the minutes of the Planning Authority Committee meeting held on Monday, 2 December 2019 be received and the recommendations contained therein be noted.

- PAC 22/19 Planning Applications approved under Delegated Authority 1 October 2019 - 20 November 2019
- PAC 23/19 PA2019.0169 Visitor Accommodation - 13A James Street Devonport
- PAC 24/19 PA2019.0170 Residential (Multiple Dwellings x 2) - 111A Gunn Street Devonport

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

CARRIED UNANIMOUSLY

**7.2 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 9 DECEMBER 2019****266/19 RESOLUTION**

MOVED: Cr Jarman  
 SECONDED: Cr Laycock

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 9 December 2019 be received and the recommendations contained therein be adopted.

- IWC 39/19 Stormwater System Management Plan
- IWC 40/19 Pedestrian Bridge over Figure of Eight Creek - Report on Feasibility
- IWC 41/19 Asset Management Strategy - Year Five Status Update
- IWC 42/19 Squibbs Road Stormwater Improvements
- IWC 43/19 Development and Health Services Report
- IWC 44/19 Infrastructure and Works Report

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

CARRIED UNANIMOUSLY

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

**IWC 39/19 Stormwater System Management Plan**

That the report of the Infrastructure and Works Manager be noted and that the Stormwater System Management Plan be adopted.

**IWC 40/19 Pedestrian Bridge over Figure of Eight Creek - Report on Feasibility**

That the report of the Infrastructure and Works Manager be noted and that the objective, prioritisation and funding of a pedestrian bridge over Figure of Eight Creek be considered in the review of Council's Bike Riding Strategy scheduled for 2020-21.

**IWC 41/19 Asset Management Strategy - Year Five Status Update**

That the report of the Infrastructure and Works Manager be received and Council note the status of actions listed in the Asset Management Strategy.

**IWC 42/19 Squibbs Road Stormwater Improvements**

That the report of the Infrastructure and Works Manager be received and that:

1. the allocation for the Squibbs Road Stormwater improvements be increased by \$68,334; and
2. it be noted the increase will be offset by savings in other stormwater projects from the 2019/20 works program.

**IWC 43/19 Development and Health Services Report**

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

**IWC 44/19 Infrastructure and Works Report**

That the Infrastructure and Works report be received and noted.

**8.0 CLOSED SESSION**

**267/19 RESOLUTION**

MOVED: Cr Laycock

SECONDED: Cr Murphy

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

| Item No | Matter  | <b>Local Government<br/>(Meeting Procedures)<br/>Regulations 2015 Reference</b> |
|---------|---|---|
| 8.1     | Confirmation of Closed Minutes - Council Meeting - 25 November 2019 | 15(2)(g)  |
| 8.2     | Application for Leave of Absence                                    | 15(2)(h)  |
| 8.3     | Citizen Awards – Australia Day 2020                                 | 15(2)(g)  |
| 8.4     | Unconfirmed Minutes – Joint Authorities                             | 15(2)(g)  |
| 8.5     | Providore Place Lease – Status Review                               | 15(2)(i)  |

|              |   |                |              |            |                |
|--------------|---|----------------|--------------|------------|----------------|
| 8.6          | Consideration of Offer – Sale of 92 Formby Road Devonport | 15(2)(f)       |              |            |                |
|              | <b>For</b>  | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
| Cr Rockliff  | ✓   |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓   |                | Cr Milbourne | ✓          |                |
| Cr Enniss    | ✓   |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓   |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓   |                |              |            |                |

CARRIED UNANIMOUSLY

**The Mayor adjourned the meeting at 6:18pm to reconvene in Closed Session at 6:22pm.**

**The Council moved out of Closed Session at 7:09pm.**

**Council resumed in open session at 7:09pm.**

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                          | Nil                  |
| 8.3     | Citizen Awards – Australia Day 2020                       | Agreed               |
| 8.4     | Unconfirmed Minutes – Joint Authorities                   | Received and noted   |
| 8.5     | Providore Place Lease – Status Review                     | Actioned             |
| 8.6     | Consideration of Offer – Sale of 92 Formby Road Devonport | Reply to be provided |

## CLOSURE

**There being no further business on the agenda the Mayor declared the meeting closed at 7:09pm.**

Confirmed

Chairman