

**Minutes of the Annual General Meeting of the Devonport City Council  
held on Monday, 8 November 2021, in the convention centre, level 3, paranaple centre,  
137 Rooke Street Devonport, and live streamed from 5:30pm**

**PRESENT:**

**Councillors:**

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:**

General Manager, M Atkins  
Deputy General Manager, J Griffith  
Executive Manager People & Finance, K Peebles  
Executive Manager City Growth, M Skirving  
Executive Coordinator, J Surtees  
Governance Officer, C Jordan  
Communication & Engagement Officer, T Creedon

**Electors:**

Douglas Janney	Robert Vellacott	Lyn Johnson	Sue Jordan
Peter Jordan	Trevor Smith	Louise Leslie	James Leslie
Graham Jones	Robyn Carey	Desley Blanch	Anne Murfett
Chris Murfett	Margaret Fay	Gary Easter	Sally Easter
Graeme Nevin	Malcolm Gardam	Rodney Russell	Timothy McGee
Peter Stegmann	Janne Flesfader	Sylvia Sayers	Rodney Bramich
Don Willing	Grant Goodwin	Kylie Lunson	Michael Williams

**Other:**

Karen Hampton	Joshua Jackson	Geoffrey Dobson	Tim Cooper
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## **WELCOME AND INTRODUCTIONS**

The Mayor welcomed everyone to the Annual General Meeting and introduced the elected members and the Executive Leadership team.

### **Acknowledgment of Country**

The Mayor acknowledged and paid respects to the Tasmanian Aboriginal community as the traditional and original custodians of the land on which we meet and acknowledged their elders past, present and emerging.

### **Digital 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 digital recording of this meeting will be made available to the public on Council's website. The meeting is being Live Streamed to the Devonport City Council YouTube channel.

## 1 ANNUAL GENERAL MEETING GUIDELINES

The Mayor outlined the AGM Guidelines.

Mr Graeme Nevin requested clarification regarding voting and meeting procedures for the Annual General Meeting, in particular whether *Local Government (Meeting Procedures) Regulations 2015* sections 28(3), 20, 21, 22 and 23 applied to the meeting.

### Response

The General Manager advised that it is a majority of the people that vote, that determines whether the motion is passed or not and it was confirmed that regulation 28 (3) does not apply to the meeting.

The General Manager confirmed as per rule number one of Council's Annual General Meeting Guidelines, that as far as practicable the meeting regulations would apply, however there is discretion for the Chair to determine otherwise if appropriate.

## 2 APOLOGIES

Mr Dave Race  
Mr Graham Kent

## 3 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No.	Reason	Remain in the meeting? Y/N	If remaining, reasons for decision
Cr L Murphy	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.
Cr S Milbourne	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.
Cr L Perry	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.
Cr L Laycock	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.

Councillor	Item No.	Reason	Remain in the meeting? Y/N	If remaining, reasons for decision
Cr P Hollister	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.
Cr A Rockliff	7.4 & 7.5	Previously involved in the decision	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.
Cr G Enniss*	7.4 & 7.5	Involved in the previous Council decision about the parking matter to which the motions relate.	Y	Staying to ensure there is a quorum but will not be involved in debate or voting.

\* note conflict was advised in writing prior to meeting, however not announced at the meeting.

#### 4 CONFIRMATION OF MINUTES

MOVED: Mr Grant Goodwin

SECONDED: Ms Sylvia Sayers

That the minutes of the Annual General Meeting held on 9 November 2020, as attached, be confirmed.

FOR	22
AGAINST	9
OUTCOME	Carried

## **5 PRESENTATION OF ANNUAL REPORT**

The General Manager provided a brief overview of the 2021 Annual Report.

## **6 SUBMISSIONS/QUESTIONS TO THE ANNUAL REPORT**

MOVED: Cr Perry

SECONDED: Cr Murphy

That submissions and questions, and the subsequent answers, on the 2020/21 Devonport City Council Annual Report, be noted.

FOR	24
AGAINST	7
OUTCOME	Carried

## **7 MOTIONS ON NOTICE**

### **7.1 NOTICE OF MOTION FROM MR TREVOR SMITH - FOOTPATHS**

MOVED: Mr Trevor Smith

SECONDED: Mr Rodney Russell

That Councillors be requested to allocate some, if not all, of the \$2 Million surplus funds Council received for the 2020-21 financial year towards the construction of footpaths particularly in the areas where residents have paid rates for 40 or more years, also prioritising the streets where the residents and or public have constantly requested that footpaths be provided.

FOR	18
AGAINST	17
OUTCOME	Carried

## **7.2 NOTICE OF MOTION FROM MR ROBERT VELLACOTT – DISPOSAL BY AUCTION OF PROVIDORE PLACE**

MOVED: Mr Robert Vellacott

SECONDED: Mr Graeme Nevin

That the electors here present at this the Devonport City Council 2021 Annual General Meeting request the Mayor and Councillors take such action necessary for the early sale, of the real estate known as Providore Place, so as to enable it to be listed for sale by auction at a reserve price to be decided by the Council and if the property is sold the proceeds of sale be paid off the Council debt incurred to build it.

FOR	14
AGAINST	22
OUTCOME	Lost

### **7.3 NOTICE OF MOTION FROM MR ROBERT VELLACOTT – POSSIBLE INCREASE OF GAMING VENUES AND OR FACILITIES**

MOVED: Mr Robert Vellacott

SECONDED: Mr Graham Jones

That we the electors here present at the Devonport City Council 2021 Annual General Meeting here-by express in the strongest possible terms our opposition to any increase in the number of licensed gaming devices in existing venues and or the licensing of new premises for the purpose of licensed gaming in the municipality and we request our elected representatives being the Mayor and Councillors to on our behalf oppose an application to – (a) increase gaming devices in any existing venues, and or the installation of the devices in new premises and (b) refrain from supporting any person or entity seeking to obtain a licence to increase and or manage licensed gaming in Devonport.

FOR	14
AGAINST	19
OUTCOME	Lost



Having previously declared a conflict of interest in agenda items 7.4 & 7.5, Cr Rockliff vacated the Chair. Cr Enniss, Cr Laycock, Cr Hollister, Cr Milbourne, Cr Murphy & Cr Perry also declared an interest in items 7.4 & 7.5. All councillors remained in the room to ensure a quorum for the meeting, but did not participate in debate or vote on the items.

Deputy Mayor Cr Jarman took the chair at 6:39pm

**7.4 NOTICE OF MOTION FROM MR ROBERT VELLACOTT – TO EXPRESS DISAPPOINTMENT OF COUNCIL'S REJECTION OF THE MOTION PASSED AT THE 2020 AGM IN REGARD TO PROVIDING FREE PARKING VOUCHERS TO THOSE WHO HAVE PAID RATES FOR 50 YEARS OR MORE**

MOVED: Mr Robert Vellacott

SECONDED: Mr Douglas Janney

That we the electors and ratepayers here present express our extreme disappointment in the Mayor and those councillors who voted, at the DCC Ordinary meeting of 22<sup>nd</sup> February, to reject the request as per the notice of motion as passed by a majority of electors at the DCC 2020 Annual General meeting being "That Council at the next meeting, consider providing all ratepayers of 50 years or more with parking vouchers as provided to pensioners"

FOR	15
AGAINST	8
OUTCOME	Carried

**7.5 NOTICE OF MOTION FROM MR ROBERT VELLACOTT – REQUEST COUNCIL TO RESCIND THE RESOLUTION 21/29 PASSED AT THE DEVONPORT CITY COUNCIL ORDINARY MEETING HELD ON 22 FEBRUARY 2021**

MOVED: Mr Robert Vellacott

SECONDED: Mr Douglas Janney

That the electors here present request that Council rescind resolution number 21/29 passed at the 22<sup>nd</sup> February 2021, being Agenda item 5.2 – “That Council does not include ratepayers of 50 years or more into the parking concession, which is offered to aged, disability and service pensioners”

FOR	14
AGAINST	5
OUTCOME	Carried

The Mayor resumed the Chair at 6:49pm.

## **7.6 NOTICE OF MOTION FROM MR ROBERT VELLACOTT – REQUEST COUNCIL TO CONSIDER EXTENDING PARKING CONCESSIONS**

MOVED: Mr Robert Vellacott

SECONDED: Mr Douglas Janney

That the electors here present request Council to include ratepayers of 50 years or more into the parking concession which is offered to aged, disability and service pensioners

FOR	18
AGAINST	9
OUTCOME	Carried

## **8 GENERAL BUSINESS**

### **Douglas Janney – 23 Watkinson Street, Devonport**

**Q1.** The seating arrangement that I have experienced at annual general meetings with the councillors seated facing the Mayor and Executive and their backs to the ratepayers who are present, I find this arrangement offensive. All ratepayers present ought to face the rate payers who are present and I have raised this before.

#### **Response**

The Mayor said that it was a fair and reasonable comment and that she would take it on board.

**Q2.** The hard copy of the annual report that I received is a dismal black and white and in two parts there should be a clear plastic cover and a black looped spine and all in one document this is a second year of such poor presentation go back and look at the 2019 report. The online report is in colour, so why is my hard copy in black and white.

#### **Response**

The Mayor advised that it is more expensive to print colour copies.

**Q3.** Why isn't the Auditor's Report part of the financial report?

#### **Response**

The General Manager advised the two documents are posted on the website together, the full financials are in the attachment and the letter of the Auditor is within the report document, but the two should be looked at as one.

**Q4.** The Auditor Report's was signed off on the 14th of September, why can't the AGM be held within three weeks of that date?

#### **Response**

The General Manager advised once the financial report gets signed off, Council then finalises the Annual Report. It is then provided to Councillors for input before a period of community comment. This timeline generally allows that the AGM is held in early November. It was noted Devonport City Council are one of the first Councils to hold their AGM, this year.

### **Malcolm Gardam – 4 Beaumont Drive, Miandetta**

#### **Clarification on Council response to question in the Agenda Attachments**

**Q1.** With reference to a Council response to a question on notice on Page 19 of the Agenda Attachments relating to Bad & Doubtful Debts, by area of operation, Council has advised an amount of \$28,046 against "Development & Health Fees"; accordingly will Council clarify the following separately:

- a) The combination of Development and Health Fees seem a strange marriage of costs so will Council elaborate just what Development entails?

#### **Response**

The Executive Manager People and Finance confirmed that Development and Health is a department of Council.

Mr Gardam asked what does Development take into account?

The Executive Manager People and Finance advised it takes into account planning and other associated application fees.

- b) More specifically does Development encompass Council's commercial activities such as commercial leases?

**Response**

The Mayor confirmed it does not.

- c) On that basis will Council advise under which area of operation the Bad & Doubtful Debts being listed as 90 days and over and 3 years or more, as discussed in closed session at the July ordinary meeting are included?

**Response**

The Executive Manager People and Finance responded that the report was considered in Closed Session and therefore she was unable to comment.

**Providore Place – Council funded tenant-specific work for Island State Brewing**

- Q1.** In light of these generous fitout costs being subsidised by ratepayers for first tenants will Council confirm if any fitout costs whatsoever are being provided for the new Island State Brewing tenant?

**Response**

The General Manager responded that Council has commercial arrangements with the tenants and the information that can be disclosed has been. We've made public comment in regard to that previously. I think we reassured Mr Gardam at the time that the rent was reflective of the commercial realities including any contributions.

- Q2.** Council has previously funded the tenant-specific base-build cost for the first tenant; accordingly is Council doing the same in the Island State Brewing tenancy and if so what is the contract price for those works and if not contracted then what is the budget amount?

**Response**

The Mayor advised that we've already explained that and released all that we can.

- Q3.** If Council is funding the base-build costs for Island State Brewing then is Council managing the work or paying the tenant for the work and to manage it?

**Response**

The General Manager advised that the question would be taken on notice.

**Waterfront Parkland Redevelopment Completion Date**

- Q1.** Is "time at large" on this contract meaning that the contract date for completion (Adjusted Date for Practical Completion) is no longer effective and therefore no longer contractually enforceable other than the contractor must complete the works in a reasonable time?

**Response**

The General Manager advised that is not correct and confirmed Council have a contractual arrangement with Vos in place.

- Q2.** As Council continues to refuse to disclose an actual completion date for the Waterfront Parkland contract will Council at least advise ratepayers what month next year it expects full completion of the contract including the Elevated Walkway?

### **Response**

The General Manager responded, Council has continued to provide regular updates to the community on the progress of the waterfront park and will continue to do so, as soon as new information becomes available.

### **Rodney Russell – 225 Steele Street, Devonport**

**Q1.** In regards to Mr Gardam's question where the general manager said he would reply in writing, when will that be available?

### **Response**

It was noted a copy will be provided in our Council Agenda in a couple of weeks.

**Q2.** At the beginning of the meeting you asked the councillors to stand up and face the audience which is a good idea but I also would like to see them sitting over there facing that way.

### **Response**

The Mayor advised that she accepts the criticism and that it is noted.

### **Robert Vellacott – 11 Cocker Place, Devonport**

**Q1.** I just want to make a clarification in regards to Providore Place. I cast no aspersions to the tenants in regard to that property, but my question now is, will Council please treat all contracts and business pertaining to Providore Place, in the same way as all other contracts, and not in Closed Session? I think you are all aware of my thoughts over the years on that and I believe had you stuck to that, half your problems wouldn't be here tonight, half of those problems wouldn't have risen.

### **Response**

The Mayor responded that is not always possible, however given the statistics in our annual meeting around how many items we considered in Closed Session compared to Open Session, you will realise that we consider everything that we possibly can in Open Session given people's right to privacy.

### **Graeme Nevin – 145 Percy Street, Devonport**

**Q1.** In light of your response to Mr Vellacott my question is, do you agree Madam Mayor that every operational decision in relation to Providore Place, since July 2016, has been made in closed session?

### **Response**

The Mayor responded that's probably close to the case, however without going back to every decision over the last five and half years I'm not prepared to agree with that, but I'll take your comment as comment.

## **9 CLOSURE**

The Mayor declared the meeting closed at 7:10pm

Minutes confirmed 24 October 2022



Chairperson