

**MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranaple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 27 JUNE 2022 COMMENCING AT 5:30 PM**

<b>Meeting</b>	<b>From</b>	<b>To</b>	<b>Time Occupied</b>
Open Session	5:30pm	7:02pm	1 hour 32 minutes
Closed Session	7:04pm	7:12pm	8 minutes
Total			1 hour 40 minutes

**Present**

Cr A Rockliff (Mayor)  
Cr A Jarman (Deputy Mayor)  
Cr J Alexiou  
Cr G Enniss  
Cr P Hollister  
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  
Development Services Manager, K Lunson  
Communications and Engagement Officer, T Creedon  
Convention and Arts Centre Director, G Dobson  
Land Use Planning Coordinator, A Mountney  
Senior Town Planner, C Milnes

**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. and that the meeting was being live streamed on YouTube. The digital recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

## **1 APOLOGIES**

The following apology was received for the meeting.

Cr L Laycock

Leave

## 2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason	Remain in meeting? Yes/No	If remaining, reason/s for decision
Cr Milbourne	3.2.2	Former owner of business referred to in Item 3.2.2	No	N/A
Cr John Alexiou	4.3	Purchases from supplier Yum Tasmanian	Yes	Provide some background on the site.
Cr Leigh Murphy	5.10	Member of the Devonport Country Club	Yes	Is not a member of the Board nor holds any official role with the Devonport Country Club. Uses the amenity of the facility only.
Cr Annette Rockliff	5.10	Husband is a social member of the Devonport Country Club	Yes	This will not have any influence on my decision-making in relation to this item.

## 3 PROCEDURAL

### 3.1 CONFIRMATION OF MINUTES

#### 22/110 RESOLUTION

MOVED: Cr Murphy  
SECONDED: Cr Perry

That the minutes of the Council meeting held on 23 May 2022, as previously circulated, be confirmed.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

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## 3.2 PUBLIC QUESTION TIME

### 3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

#### 22/111 RESOLUTION

MOVED: Cr Murphy  
SECONDED: Cr Milbourne

That the responses to questions from Mr Trevor Smith at the May 2022 Council meeting be noted.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

Cr Milbourne left the meeting at 5:33 pm.

### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

#### 22/112 RESOLUTION

MOVED: Cr Perry  
SECONDED: Cr Murphy

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 7 / 0

Cr Milbourne returned to the meeting at 5:34 pm.

### 3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

#### Douglas Janney, 23 Watkinson Street Devonport

**Q1.** I have been talking about Stewart Street between Fenton Street and Gunn Street as a good example of Parking Bay plots to better use the kerb space since 2015/16 budget suggestions and nothing has happened.

What is the criteria that is used to put parking bays on Don Road – that is Question One?

**Q2.** Question Two is, when will Stewart Street get the parking plots?

#### Response

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

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### **3.3 QUESTIONS ON NOTICE FROM COUNCILLORS**

At the time of compilation of the agenda, no questions had been received from Councillors.

### **3.4 NOTICES OF MOTION**

#### **3.4.1 NOTICE OF MOTION - ELECTED MEMBER MISCONDUCT**

##### **22/113 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Hollister

That Council write to the Minister of Local Government expressing concern that the existing legislation is inadequate in relation to addressing matters of serious misconduct by elected members and request an urgent review.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

## **4 PLANNING AUTHORITY MATTERS**

### **4.1 PA2022.0075 - 48 WILLIAM STREET DEVONPORT - FOOD SERVICES (FOOD VAN)**

##### **22/114 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Perry

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, refuse application PA2022.0075 for Food Services (food van) on land identified as 48 William Street, Devonport on the following grounds:

- The proposed change of use will result in an unreasonable loss of amenity to adjacent residential properties. The performance criteria cannot be satisfied for 8.3.1 P4 (a);
- The proposed location of a food van in front of the existing dwelling will have a detrimental impact on the character of the area. The performance criteria cannot be satisfied for 8.3.1 P4 (d); and
- The location of the proposed use within an established residential area is considered unnecessary. The performance criteria cannot be satisfied for 8.3.1 P4 (e).

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

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## 4.2 PA2022.0072 - 172 SHEFFIELD ROAD SPREYTON AND ADJACENT ROAD RESERVE - VEHICLE FUEL SALES AND SERVICE (NEW CANOPY)

### 22/115 RESOLUTION

MOVED: Cr Murphy  
SECONDED: Cr Ennis

That the Planning Authority, pursuant to the provisions of the Tasmanian Planning Scheme – Devonport 2020 and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2022.0072 and grant a Permit to use and develop land identified as 172 Sheffield Road and the adjacent road reserve for the following purposes:

- Vehicle fuel sales and service (awning)

Subject to the following conditions:

1. The Use and Development is to proceed in accordance with the endorsed plans referenced as Awning Addition – Project No. 00770 (Drawings DA.01C, DA.02C, DA.03C, DA.04C, DA.05C, DA.06C, DA.07C, DA.08C) by Andrew Smith Architects. A copy of which is attached and endorsed as documents forming part of this planning permit.
2. Prior to the lodgement of the building application, the developer is to enter into an agreement with Council. The contents of the agreement are to be in accordance with the requirements stipulated by Council's General Manager (refer to note).
3. The developer is to direct any stormwater collected from this work into the existing property stormwater pipe in accordance with the National Construction Code.

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 & plumbing approvals & provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

In regard to condition 2, the developer is to contact Council's General Manager's Department to formalise an agreement.

The developer is to provide a copy of the Crown Land approval as part of the relevant building permit documentation.

Any addition signage for the site is subject to further planning approval.

The amenity of the area must not be detrimentally affected by the use or development through the:

- a) Transport of materials, goods or commodities to or from the land; or the
- b) Emission of noise, dust, odour, artificial light, vibration, fumes, smoke, vapour, steam, soot, ash, wastewater or any waste products.

There may be a requirement for the developer to remove the road widening easement pertaining to 172 Sheffield Road before the building application can be sought. The developer is recommended to obtain legal advice on this matter.

In regard to condition 3, the developer should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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General enquiries regarding this permit can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

### **4.3 PA2022.0059 - RESOURCE PROCESSING (FACILITY UPGRADES) AND STORAGE - 23-61 TARLETON STREET EAST DEVONPORT**

#### **22/116 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Hollister

That the Planning Authority, pursuant to the provisions of the *Tasmanian Planning Scheme – Devonport 2020* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2022.0059 and grant a Permit to use and develop land identified as 23-61 Tarleton Street, East Devonport for the following purposes:

- Resource Processing (facility upgrades) and Storage

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans and documentation referenced as:
  - Site Plan - Reference 303758\_D01\_Rev3 by Veris, dated 6 May, 2022;
  - 303758 Submission report – TASCOT development by Veris, dated May 2022; and;
  - Yum Tasmanian – Chiller Noise Assessment by Pitt & Sherry, dated 6 May, 2022.

A copy of which is attached and endorsed as documents forming part of this planning permit.

#### Operational Conditions

2. Excluding the operation of the cool rooms and associated chiller equipment, the operating hours for Resource Processing and Storage are to be in accordance with the acceptable operating hours of the Light Industrial zone which are:
  - (a) 7.00am to 9.00pm Monday to Saturday; and
  - (b) 8.00am to 9.00pm Sunday and public holidays.
3. The noise mitigation measures prescribed within section 5 of the Chiller Noise Assessment by Pitt & Sherry are to be installed and verified by a suitably qualified noise engineer prior to cool rooms operating 24 hours, 7 days a week.
4. Noise monitoring is to be undertaken after 1 month of the cool rooms operating to determine if the noise level is consistent with the findings stipulated in the Noise Assessment by Pitt & Sherry. This information is to be provided to Council's Development Services Manager by a suitably qualified person. If noise from the site is found to be greater than the noise levels prescribed in the Noise Assessment (after mitigation measures applied), the cool rooms are only permitted to operate within the acceptable operating hours of the Light Industrial zone which are:

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- (a) 7.00am to 9.00pm Monday to Saturday; and
  - (b) 8.00am to 9.00pm Sunday and public holidays.
5. Subject to satisfying conditions 3 & 4, the operator is to provide annual noise monitoring results to Council's Development Services Manager. The monitoring is to be done by a suitably qualified person and if noise from the site is found to be greater than the noise levels mentioned in the Noise Assessment by Pitt & Sherry (after mitigation measures applied), the cool rooms are only permitted to operate within the acceptable operating hours of the Light Industrial zone which are:
    - (a) 7.00am to 9.00pm Monday to Saturday; and
    - (b) 8.00am to 9.00pm Sunday and public holidays.
  6. Any future security lighting for the site is to be baffled and is not to be directed towards nearby residential properties.
  7. The developer is to submit a Traffic Management Plan (TMP) for the Storage use. The TMP must be completed before the Storage use commences and must demonstrate how all vehicles associated with the use (including trucks) access and exit the site. In addition, the TMP is to demonstrate that all vehicle movements for the use occur wholly within the site. The TMP must be endorsed by Council's City Engineer and is to apply for all vehicle movements once the use commences.
  8. All vehicle and truck parking areas are to be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.
  9. The developer is to provide Council an Environmental Effects Report on the Storage use. The report is to be completed by a suitably qualified person and demonstrate how the storage and wholesale of fertilisers can satisfy clause C9.5.1 of the Attenuation Code. The report is required to be approved by Council's Development Services Manager before the use can commence.
  10. During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

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 & plumbing approvals & provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

In regard to conditions 4 & 5, Council will accept the operation of the cool rooms 24/7 once the noise levels are in accordance with the thresholds stipulated within the Noise Assessment by Pitt & Sherry.

The site is subject to an existing Part 5 Agreement under the *Land Use Planning and Approvals Act 1993*. Several operating parameters stipulated within the Part 5 Agreement relevant to permit PA2014.0091 have yet to be satisfied. Although not relevant to this permit determination, the requirements stipulated in the Part 5 Agreement are to be completed.

Any additional signage for the site is subject to further planning approval.

Enquiries regarding this permit can be directed to Council's Development Services Department – Ph 6424 0511.

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FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

#### **4.4 AM2022.01 & PA2022.0024 - COMBINED AMENDMENT AND DEVELOPMENT APPLICATION - 133 MIDDLE ROAD MIANDETTA**

##### **22/117 RESOLUTION**

MOVED: Cr Jarman  
SECONDED: Cr Perry

That Council:

- agree to initiate amendment AM2022.01 to the Devonport Local Provisions Schedule for the land at 133 Middle Road, Miandetta to:
  - a. Remove the Devonport Reserved Residential Land Specific Area Plan from CT249880/1;
  - b. Introduce the Open Space Zone to CTs 249880/1 & 198366/1;
  - c. Realign the Community Purpose and General Residential Zones;
  - d. Remove the Priority Vegetation Area Overlay (in whole or part) from CTs 15534/23, 104380/1, 69003/1 & 2 and 198366/1; and
  - e. Concurrently approve the associated application for a 7 Lot subdivision.  
as set out in Attachment 1; and
- place Amendment AM2022.01 and application PA2022.0024 on public exhibition for a 4 week period in accordance with sections 40G and 40Z of the *Land Use Planning and Approvals Act 1993*; and
- approve application PA2022.0024 for a 7 lot subdivision with the following conditions:



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1. The development is to proceed generally in accordance with the submitted plans referenced as:
    - a. Job No. 12548932, Figures 13 & 14, Rev A dated 06 Oct 2021 & Figure 16, Rev A dated 22 April, 2022 by GHD Pty Ltd;
    - b. Bushfire Hazard Management Report: Subdivision, dated 5<sup>th</sup> July, 2021, by Livingston Natural Resource Services; and
    - c. Natural Values Report, dated 5<sup>th</sup> July, 2021, by Livingston Natural Resource Servicescopies of which are attached and endorsed as documents forming part of this Planning Permit.
  2. Any subsequent development of the new lots will require additional assessment by a registered Bushfire Hazard Management Practitioner.
  3. The developer is to cover all costs associated with the transfer of the public open space title to Council.
  4. The developer is to comply with the conditions specified in the Submission to Planning Authority Notice which TasWater has required to be included in the planning permit pursuant to section 56P(1) of the *Water and Sewerage Industry Act 2008*. A copy of this notice is attached.

Note: The following is provided for information purposes.

Hours of Construction shall be: Monday to Friday Between 7am - 6pm, Saturday between 9am -6pm and Sunday and statutory holidays 10am - 6pm.

During the construction or use of these facilities all measures are to be taken to prevent nuisance. Air, noise and water pollution matters are subject to provisions of the *Building Regulations 2016* or the *Environmental Management and Pollution Control Act 1994*.

In regard to condition 4 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

Enquiries regarding other conditions can be directed to Council's Development Services Department – Ph 6424 0511.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

Alex Mountney left the meeting at 5:36pm.

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## 5 REPORTS

### 5.1 FINANCIAL MANAGEMENT STRATEGY 2023-2032

#### 22/118 RESOLUTION

MOVED: Cr Murphy  
SECONDED: Cr Perry

That Council adopt the Financial Management Strategy 2023-2032.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

### 5.2 RATES AND CHARGES POLICY

#### 22/119 RESOLUTION

MOVED: Cr Hollister  
SECONDED: Cr Murphy

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

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

### 5.3 ANNUAL PLAN AND BUDGET ESTIMATES

#### 22/120 RESOLUTION

MOVED: Cr Perry  
SECONDED: Cr Murphy

#### A. ANNUAL PLAN

That in accordance with section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2023 and instructs the General Manager to:

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

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## B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with section 82 of the *Local Government Act 1993* the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2022/23 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the *Act* the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$75,000 to any individual estimate item (including capital works) as he deems necessary during the 2022/23 financial year provided that the total of the Estimates remains unaltered.

## C. RATES AND CHARGES 2022/23

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993* and the *Fire Services Act 1979* for the financial year 1 July 2022 to 30 June 2023 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

### Definitions and Interpretations

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

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

**'Act'** means the *Local Government Act 1993*;

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

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

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

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

**'municipal area'** means the municipal area of Devonport;

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

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

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

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

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

Pursuant to sections 90 and 91 of the *Local Government Act 1993*, the Council makes a General Rate ("the General Rate") in respect of all rateable land

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(except land which is exempt pursuant to section 87 of the *Local Government Act 1993*) consisting of two components being:

- (a) 8.8781 cents in the dollar of assessed annual value (the AAV component);
- (b) A fixed charge of \$300 on all land or tenancy.

**2. RATES RESOLUTION – PART 1(B)**

Pursuant to section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to 6.6586 cents in the dollar of assessed annual value of such rateable land.

**3. RATES RESOLUTION PART 1(C)**

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used for residential purposes of 15 per cent; and
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2021 to 30 June 2022.

**4. RATES RESOLUTION PART 1(D)**

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used for primary production of 15 per cent; and
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2021 to 30 June 2022.

**5. RATES RESOLUTION PART 1(E)**

Pursuant to section 88A of the *Local Government Act 1993*, the Council determines by absolute majority:

- (a) to set a maximum percentage increase in the General Rate for land within the municipal area which is separately assessed and is predominately used as vacant land of 50 per cent; and
- (b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2021 to 30 June 2022.

**6. RATES RESOLUTION – PART 2**

6.1 Pursuant to section 94 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to section 87, but excluding land to which Council does not supply any of the following services) for the period 1 July 2022 to 30 June 2023:

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- (a) a waste management service charge of \$310 upon all land or tenancy to which Council supplies or makes available a kerbside collection service.

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

- (a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$930; and

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

## **7. RATES RESOLUTION – PART 3**

Pursuant to section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2022 to 30 June 2023:

- (a) a Devonport Urban Fire District Rate of 1.2174 cents in the dollar of assessed annual value, subject to a minimum amount of \$44 in respect of all rateable land within the Devonport Urban Fire District.

- (b) a Forth/Leith Fire District Rate of 0.3796 cents in the dollar of assessed annual value, subject to a minimum amount of \$44 in respect of all rateable land within Forth/Leith Fire District.

- (c) a General Land Fire Rate of 0.3244 cents in the dollar of assessed annual value, subject to a minimum amount of \$44 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

## **8. SEPARATE LAND**

In relation to all rates and charges for the 2022/23 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

## **9. ADJUSTED VALUES**

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

## **10. PAYMENT OF RATES AND CHARGES**

Pursuant to section 124 of the *Local Government Act 1993*, the rates for 2022/23 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2022
Second Instalment	31 October 2022
Third Instalment	28 February 2023
Fourth Instalment	30 April 2023

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

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### **Penalties**

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

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2023; and
- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement.

### **Supplementary Rates**

- (a) Pursuant with sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2023, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due to be paid in accordance with the remaining instalments or within 30 days of the date on which that notice is issued, whichever is the latter.

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

That Council pursuant, to section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2022/23 financial year as detailed and note the 10 year forward works program.

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

That in accordance with section 205 of the *Local Government Act 1993*, Council adopts the Fees and Charges Schedule for the 2022/23 financial year as detailed.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

Carolyn Milnes left the meeting at 6:15pm.

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## **5.4 SIGNAGE STRATEGY 2022-2027**

### **22/121 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Jarman

That Council receive and note the report relating to the draft Signage Strategy 2022-27 and release the Strategy for a 30-day public consultation period.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

## **5.5 PUBLIC ART POLICY AND STRATEGY**

### **22/122 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Jarman

That Council adopt the Devonport City Council Public Art Policy and the Devonport City Council Public Art Strategy 2022-25.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

## **5.6 DEVONPORT CITY COUNCIL TOURISM STRATEGY 2022-2025**

### **22/123 RESOLUTION**

MOVED: Cr Murphy

SECONDED: Cr Perry

That Council adopt the Devonport City Council Tourism Strategy 2022-25 and commit to undertaking the actions included within the Strategy.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

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## **5.7 NATURE STRIP POLICY**

### **22/124 RESOLUTION**

MOVED: Cr Milbourne  
SECONDED: Cr Murphy

That Council adopt the Nature Strip Policy.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **5.8 GREATER DEVONPORT RESIDENTIAL GROWTH STRATEGY**

### **22/125 RESOLUTION**

MOVED: Cr Murphy  
SECONDED: Cr Perry

That Council adopt the Greater Devonport Residential Growth Strategy 2021-2041.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **5.9 PARTNERSHIP AGREEMENTS**

### **22/126 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Murphy

That Council note the Partnership Agreement report and enter into the following partnership agreements:

- a. Devonport Brass Band, 3 year term, 2022-25, \$10,000 per year
- b. Devonport Community House, 3 year term, 2022-25, \$18,000 per year
- c. Devonport Men's Shed, 3 year term, 2022-25, \$8,000 per year
- d. Tasmanian Arboretum 2022-25, 3 year term, \$22,000 per year
- e. Devonport Chamber of Commerce and Industry, 2 year term, 2022-24, \$40,000 per year



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FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **5.10 RATE REMISSION**

### **22/127 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Jarman

That Council receive and note the report in relation to a requested rate discount for the Devonport Country Club and remit 60% of the General Rate payable on 66 Woodrising Avenue for the 2021/22 financial year, 40% for the 22/23 year and 20% for the 23/24 year.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **5.11 ENDORSEMENT OF ADDITIONAL MEMBERSHIP OF PUBLIC ART COMMITTEE**

### **22/128 RESOLUTION**

MOVED: Cr Jarman  
SECONDED: Cr Milbourne

That Council appoint Jane Hayley, Sarah Brooke and Tara Felts to the Devonport City Council Public Art Committee

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

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## **6 INFORMATION**

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

#### **22/129 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Murphy

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

FOR: Cr Alexiou, Cr Ennis, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

Note: Cr Murphy clarified that the Devonport Country Club attended the June Workshop in relation to a request for rates remission, not rates submission as was noted in the Report.

### **6.2 MAYOR'S MONTHLY REPORT**

#### **22/130 RESOLUTION**

MOVED: Cr Alexiou

SECONDED: Cr Murphy

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

FOR: Cr Alexiou, Cr Ennis, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

### **6.3 GENERAL MANAGER'S REPORT**

#### **22/131 RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Murphy

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

FOR: Cr Alexiou, Cr Ennis, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

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## **6.4 INFRASTRUCTURE AND WORKS REPORT**

### **22/132 RESOLUTION**

MOVED: Cr Murphy  
SECONDED: Cr Milbourne

That Council receive and note the Infrastructure and Works report and endorse the addition of \$73,708 of external funding to the 2021/22 Capital Works Program for a project at the Waste Transfer Station.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **6.5 DEVELOPMENT AND HEALTH SERVICES REPORT**

### **22/133 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Murphy

That Council receive and note the Development and Health Services Report.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## **7 SECTION 23 COMMITTEES**

### **7.1 PLANNING AUTHORITY COMMITTEE MEETING - 6 JUNE 2022**

#### **22/134 RESOLUTION**

MOVED: Cr Jarman  
SECONDED: Cr Perry

That the minutes of the Planning Authority Committee meeting held on 6 June 2022 be received.

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff  
AGAINST: Nil

CARRIED 8 / 0

## 8 CLOSED SESSION

### 22/135 RESOLUTION

MOVED: Cr Milbourne

SECONDED: Cr Murphy

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	Local Government (Meeting Procedures) Regulations 2015 Reference
3.1	Confirmation of Closed Minutes – Council Meeting – 23 May 2022	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(2)(b) & 15(2)(g)
5.1	2021 Audit Panel Evaluation Report	15(2)(g)

FOR: Cr Alexiou, Cr Enniss, Cr Hollister, Cr Jarman, Cr Milbourne, Cr Murphy, Cr Perry and Cr Rockliff

AGAINST: Nil

CARRIED 8 / 0

**The Mayor adjourned the meeting at 7:02pm to reconvene in Closed Session at 7:04pm.**

**The Council moved out Closed Session at 7:12pm.**

**Council resumed in open session at 7:12pm.**

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
3.1	Confirmation of Closed Minutes – Council Meeting – 23 May 2022	Confirmed
3.2	Application for Leave of Absence	Approved
4.1	Confidential Attachments	Noted
5.1	2021 Audit Panel Evaluation Report	Noted

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## 9 CLOSURE

**There being no further business on the agenda the Mayor declared the meeting closed at 7:12pm.**

Minutes confirmed 25 July 2022 - Min 22/141 Refers

Confirmed

A handwritten signature in black ink, appearing to read 'D. Kelly', written over a horizontal line.

Chairperson