

**Minutes of the Annual General Meeting of the Devonport City Council
held on Monday, 24 October 2022, in the Mersey Room, level 3, paranapple centre, 137
Rooke Street Devonport, and live streamed from 5:00pm**

PRESENT:

Councillors:

Cr A Rockliff (Mayor)
Cr A Jarman (Deputy Mayor)
Cr J Alexiou
Cr G Ennis
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 Coordinator, J Surtees
Governance Officer, C Jordan

Electors:

Douglas Janney	Robert Vellacott	Malcolm Gardam	Don Willing
Norm Parkin	Andrew Rundle	Peter Jordan	Sue Jordan
Barry Wilczynski	Janene Wilczynski	Michael Williams	Kylie Lunson
Melanie Nugent	Andrew Wylie		

Other:

K Hampton	J Jackson	G Dobson	J Wheaton
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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.

WELCOME AND INTRODUCTIONS

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

IN ATTENDANCE

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.

2 APOLOGIES

Lyn Johnson

3 DECLARATIONS OF INTEREST

No Declarations of Interest were advised.

4 CONFIRMATION OF MINUTES

MOVED: Cr Laycock

SECONDED: Cr Murphy

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

FOR	14
AGAINST	0
OUTCOME	Carried

5 PRESENTATION OF ANNUAL REPORT

The General Manager provided an overview of the 2022 Annual Report.

6 SUBMISSIONS/QUESTIONS TO THE ANNUAL REPORT

MOVED: Cr Jarman

SECONDED: Cr Murphy

That submissions and questions, and the subsequent answers, on the 2021/22 Devonport City Council Annual Report, be noted.

FOR	20
AGAINST	0
OUTCOME	Carried

7 MOTIONS ON NOTICE

7.1 NOTICE OF MOTION FROM MR VELLACOTT – ACKNOWLEDGEMENT OF COUNTRY

MOVED: Mr Vellacott

SECONDED: Mr Gardam

MOTION

That we the electors and ratepayers here present request council's Acknowledgement Of Country statement within each council ordinary meeting Agenda i.e." Council acknowledges and pays respects to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of this land" to be amended so as to include after .. "custodians of this land." the following words, or similar, "We also acknowledge their efforts along with other citizens past and present in providing a city which we can all be proud and thank especially those who have and those who continue to serve in protecting us from tyranny and thus ensuring our freedoms and democratic rights are preserved."

So as in the future the suggested Agenda heading of the Acknowledgement statement and content will be in to:

ACKNOWLEDGEMENT OF COUNTRY, CITIZENS OF OUR CITY AND THOSE WHO SERVED
Council acknowledges and pays respects to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of this land; we also acknowledge their efforts along with other citizens past and present in providing a city which we can all be proud and thank especially those who have and those who continue to serve in protecting us and thus ensuring our freedoms and democratic rights are preserved.

FOR	6
AGAINST	14
OUTCOME	Lost

7.2 NOTICE OF MOTION FROM MR VELLACOTT – 50 YEAR + RATEPAYERS PARKING CONCESSIONS

MOVED: Mr Vellacott

SECONDED: Mr Janney

MOTION

That we the electors and ratepayers here present request Council to at the next appropriate meeting ensure the continuation of providing all ratepayers of 50 years or more with parking vouchers/concessions as provided to pensioners.

FOR	15
AGAINST	4
OUTCOME	Carried

7.3 NOTICE OF MOTION FROM MR VELLACOTT – REQUEST FOR REPRESENTATION TO STATE GOVERNMENT BY COUNCIL – PARANAPLE CENTRE

MOVED: Mr Vellacott
SECONDED: Mr Gardam

MOTION

That because the Tasmanian State Government has taken advantage of council in regard to the sale of part of the paranaple centre at an estimated cost of some six million and six hundred thousand Dollars (\$6,600,000) - that Council make representation on behalf of the ratepayers to the State Government to make good the stated amount or more for the Strata Title to that part of the building now in their possession.

FOR	4
AGAINST	16
OUTCOME	Lost

7.4 NOTICE OF MOTION FROM MR VELLACOTT – REQUEST FOR MORE DETAIL IN AGENDA RE-CLOSED SESSION ITEMS

MOVED: Mr Vellacott
SECONDED: Nil

MOTION

That we the electors and ratepayers here present in regard as to what details are listed in each of council's ordinary meeting Agenda to be dealt with in Closed Session – (i.e. secret committee); noting some local state and interstate councils includes in their ordinary council meeting Agenda more explicit details than just very basic /minimum details than Devonport Council > therefore we request the new councillors (when elected) for the sake of openness and transparency to instruct the General Manager to provide more detail in the agenda about what he recommends will go into closed session in the future, so councillors and ratepayers will be better informed.

FOR	
AGAINST	
OUTCOME	Lapsed, due to the motion not obtaining a seconder

7.5 NOTICE OF MOTION FROM MR GARDAM – REQUEST FOR INCLUSION OF PUBLIC DISCLOSURE CLAUSES IN CONTRACTS AND/OR AGREEMENTS

MOVED: Mr Gardam
SECONDED: Mr Vellacott

MOTION

That we the electors here present request the incoming Council to initiate a policy, similar to that of the state government, whereby legally binding clauses are written into contracts and or agreements that will ensure Council has at its sole discretion a right to make public disclosures of arrangements it commits to under contract; particularly where ratepayer cash or borrowings, public money and/or generous benefits or concessions are afforded to a private enterprise by Council.

FOR	5
AGAINST	15
OUTCOME	Lost

8 GENERAL BUSINESS

Douglas Janney, 23 Watkinson Street Devonport

Q1. Further to my discussion with you Mayor about the layout of this meeting, in the two positions I have sat, there are three councillors whose faces I don't see. The AGM is not a normal Council meeting. It is a presentation by you councillors of this year's happenings, and as such you should be facing the ratepayers, and you are not.

Next year it needs to be a lot better and not set up for what is a normal Council meeting. Thank you.

Now a question – I go to the 21/22 Annual Report – page 14 - Workers compensation for the year is shown as just under \$180,000. Why so high when the previous year was just under \$36,000?

Response

The General Manager advised that the figure includes 7 claims, one of which is still open, and that the insurer typically makes a fairly conservative estimate on the potential claim value. It was noted that it is not the highest of the past 4 years.

Q2. Page 44 – Waste collection has increased from \$2.50 to \$2.79 per week per property, this is an increase of 11.6%. Why is the increase so high?

Response

The General Manager advised that the question would be taken on notice and that the difference in the cost relates to several components, including fuel and tip fees, but would prefer to provide the answer in detail, in writing.

To Mr Janney's call for his questions to be answered at the meeting, the General Manager further advised that the Annual Report was made available two weeks ago, and calls were made for questions and submissions and those that were provided have been provided with written answers which have been included in the agenda.

Mr Janney further sought clarification as to where it was asked for questions to be put before the meeting?

The Mayor advised that this was included in the Notice of Meeting which was publicly advertised.

Q3. Why is the Lost Time Frequency Rate so far away from the target?

Response

The General Manager advised that the target is always to have zero health and safety accidents, and that would always remain the target. Each year Council continues to get closer to that target and having the aim of zero accidents is what Council always strive for.

Bob Vellacott, 11 Cocker Place Devonport

Q1. I refer to my questions on notice and responses for this evening's AGM. I specifically asked that the questions and answers be included in the Agenda, because I believe they should be of interest and for the edification of all ratepayers and especially for all existing Councillors and for candidates standing for Council.

Unfortunately they, the questions and answers, were not provided in the actual agenda, but hidden in the separate attachments on the website, thus making it, I opine, a little difficult to assess for those not conversant with the intricacies of Council's methods of responding to questions and/or providing information.

One of the questions Mayor was in regards to the debt, so my comments and questions is in regards to Question One on Notice, of the debt of some \$46.9 million and the time of paying off that amount and the General Manager's response, which was in part, the timeframe to pay off the debt will depend on future Council decisions to increase, repay or refinance debt.

The Financial Strategy states that where possible Council will assess the term of the debt in relation to the life of the asset. The use of the debt in this manner attempts to address the issue of inter-generational equity, and I take that that is for future generations.

And Council's current Long Term Financial Plan forecasts total debt in 2032 to be \$32.8 million. It appears that the rate the debt is being paid off it could be 40 years or more, maybe who knows maybe a 100 years or more if interests soar. So I refer now to the answer given to Mr Malcolm Gardam.

Mr Vellacott's further question was that on page 18 of my questions, the figure of \$32.8 million was given for the debt in 2032, and yet the projected debt Mr Gardam was told was \$35.85 million. So therefore my question is, is the projected forecast total debt is either \$32.8 million or \$35.85 million, a difference of \$3.05 million. I am wondering which one do I take notice of?

Response

The Mayor advised that the question will be taken on notice and confirmed in writing.

Q2. In regards to the attachments and questions, the questions on notice, correct me if I am wrong, at ordinary meetings the answers to Questions on Notice are in the main agenda, yet for this meeting they are included in the attachments.

Response

The Mayor advised that this would be taken as comment.

Mr Vellacott requested that they be placed in the agenda as they are at an Ordinary Meeting, so that people when they are on the website don't have to go from one thing to the other when they want to look up anything.

Response

The Mayor advised that this would be taken as a request.

Malcolm Gardam, 4 Beaumont Drive Miandetta

Mr Gardam sought clarification on time available for questions.

The Mayor noted he has 3 minutes at the podium but she will consider longer for each item.

Clarification as to meaning of “inter-generational equity”.

Q1. In response to my question 3 (c) on notice at the back of the online attachments “*Is Council currently kicking the debt down the road to ensure an annual budget surplus while servicing interest is costing ratepayers around \$900,000 p.a. and will only increase going forward?*” and while denying it was kicking debt down the road the Council response included “*Council will assess the term of the debt in relation to the life of the asset. The use of debt in this manner **attempts to address the issue of inter-generational equity.***” Now I have long said that Living City created intergenerational debt so will Council just explain how drawing out the repayment timeframe to well in excess of 20 years with \$35.85M still projected to be owing ten years from now, **on the premise of “inter-generational equality”** is not intentionally kicking the debt down the road for both current and future generations to pay?

It seems by Council's own statement that it is looking to prolong it so that it can be paid equitably by future generations, without thought that the sooner you pay it the sooner you don't have to pay it – so we are asking to push it forward, so future generations can pay.

Response

The Mayor stated that she believed Mr Gardam had answered his own question.

The General Manager further commented that those responses should be read in their entirety.

One of the key points is that Council has a 10 Year Financial Plan and its projections at the moment are over that 10 year period, and that it is not possible to predict out to 2041 and what the Council of the day may do beyond that 2032 period.

At this point there has been some assumptions made over that period. Council has its debt structured in a number of ways and there's a number of points where fixed loans become repayable or expire and it is at that point where decisions of the Council of the day will be made, looking at cash flow requirements and interest rates as Council does now, and will continue to make decisions that are in the best financial interests of the organisation. This does not necessarily mean eliminate all debt, as it may be more prudent to look at other initiatives.

Inclusion of submissions to the Annual Report and questions on notice with Council responses not included in the body of the AGM Agenda

Q2. We've mentioned that the questions on notice are included in the body of the Ordinary Meeting agenda. The AGM Guidelines states that submissions and to questions on the Annual Report are to be submitted in writing for inclusion in the Agenda and the Agenda has provision for those at Item 6. The Guidelines also state that motions will also be included in the Agenda and that happens.

Response

The Mayor advised that Council had acknowledged the improvements to be made.

The General Manager advised that questions that are in an Ordinary Council Meeting agenda are provided by way of a recommendation for the Council to accept or not

accept and that following the Council meeting they are included in a letter, with a response, which is then provided to the person who asked the question.

The difference with the AGM is that submissions and questions about the Annual Report, have already had responses provided, so they are not being provided to the AGM for approval, and they are simply provided as attachments in the agenda for noting. There is a distinct difference between the two. In regard to providing items as attachments to the agenda, Council considers attachments to still be part of the agenda.

AGM Attachments not included with the AGM Agenda

Q3. Why aren't the attachments part of the handout with the Agenda? It's understandable that monthly ordinary meeting attachments to the agenda are not provided as handouts, often running to hundreds of pages, the current one 3 hundred and 60 odd pages I think for tonight, but the current AGM agenda is 16 and the attachments are 26 pages, if you wanted to produce this as a handout it is 42 pages, yet we get the agenda at 16 pages as the handout and the rest of it is online and you have to search and find it yourself, which contains questions and answers which is information for people.

Response

The Mayor responded that the point had been made and will be taken on board.

9 CLOSURE

The meeting closed at 6:17pm