

MINUTES OF THE OPEN SESSION OF THE ORDINARY COUNCIL MEETING OF THE DEVONPORT CITY COUNCIL HELD IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre, 137 ROOKE STREET, DEVONPORT ON MONDAY 27 MARCH 2023 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:15pm	45 minutes
Closed Session	6:17pm	6:26pm	9 minutes
Total			54 minutes

Present

Cr A Jarman (Mayor)
Cr P Hollister
Cr S Martin
Cr A Moore
Cr L Murphy
Cr D Viney
Cr J Wilczynski

Council Officers:

General Manager, M Atkins
Deputy General Manager, J Griffith
Executive Manager, K Lunson
Executive Manager, M Skirving
Executive Coordinator, C Jordan
Governance Officer, C Delphin

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 apologies were received for the meeting.

Cr Sheehan	Leave
Cr Ennis	Leave

2 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Councillor	Item No	Reason	Remaining in Meeting? Yes/No	If remaining, reason/s for decision
Cr A Jarman	3.4.1	Submitted the Notice of Motion	Yes	Vacated the Chair. Spoke to own Motion. Matter of public interest, not personal interest
Cr A Jarman	5.1	Subject of the report	No	

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/54 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Viney

That the minutes of the Council meeting held on 27 February 2023 as previously circulated be confirmed.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 7 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

23/55 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Murphy

That the response to a question from Mr Janney at the February Council meeting be noted.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

Nil

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Douglas Janney, 23 Watkinson St Devonport TAS 7310

Q1. When will the trolleys park be no more?

Response

The Executive Manager responded that the Council have been working with both Woolworths and Coles Supermarkets to address this issue. Trolleys are being collected and the situation has improved. Council will continue to monitor and continue to work with the supermarkets.

3.3 QUESTIONS ON NOTICE FROM COUNCILLORS

Nil

3.4 NOTICES OF MOTION

3.4.1 IMPROVED ACCESS TO COLES BEACH (BACK BEACH)

Mayor Jarman vacated the Chair. Cr Hollister assumed the Chair.

23/56 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Moore

That Council requests information on further options in relation to improving access at the bottom of the Dog Beach stairwell at Back Beach and consider funding as part of the 23/24 budget deliberations.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

Cr Hollister vacated the Chair. Mayor Jarman resumed the Chair.

3.4.2 INSPECTION OF PONTOON - EASTERN SIDE OF MERSEY RIVER

23/57 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Hollister

That Council:

- Council seek to inspect the eastern pontoon, owned by Kinetic, to gauge the condition of the pontoon; and
- Should the results of the inspection be acceptable, Council to then look to take up Kinetic's offer of gifting the pontoon to Council.

Procedural Motion:

MOVED: Cr Murphy
SECONDED: Cr Viney

That Council:

Defer a decision on this matter.

FOR: Cr Jarman, Cr Moore, Cr Murphy and Cr Viney
AGAINST: Cr Hollister, Cr Martin and Cr Wilczynski

CARRIED 4 / 3

4 PLANNING AUTHORITY MATTERS

4.1 PA2023.0011 - 131 & 133 STEELE STREET DEVONPORT - GENERAL RETAIL, CONSULTING ROOMS AND SIGNAGE

23/58 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

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 PA2023.0011 and grant a Permit to use and develop land identified as 131 & 133 Steele Street, Devonport for the following purposes:

- General retail, consulting rooms and signage

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the endorsed plans referenced as project no. 22-814 Rev 3 & 3.2 dated 03.02.2023 & 17.03.2023 by Lachlan Walsh Design, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Part 5 agreement must be registered upon each title to the effect of enduring right of access over the shared accessway, to be maintained for both properties for the duration of either use as approved by this permit. The part 5 agreement must also outline that in the event either property ceases operation, as approved under this permit, further permission from the Planning Authority may be required to ensure adequate provision of vehicle access and parking.
3. The Use for consulting rooms at 133 Steele Street is approved for a maximum of 4 practitioners to be providing services on site at any one time.
4. Permitted hours of operation are as follows:
131 Steele Street:
 - a. Monday to Saturday – 7:00am to 9:00pm
 - b. Sunday & Public Holiday – 8:00am to 9:00pm.133 Steele Street:
 - c. Monday to Friday – 8:00am to 8:00pm
 - d. Saturday, Sunday & Public Holiday – 9:00am to 8:00pm.
5. Stormwater discharge from the proposed development is to be hydraulically detailed and designed by a suitably qualified hydraulic engineer, for all storm events up to and including a 20 -year Average Recurrence Interval (ARI), and for a suitable range of storm durations to identify peak discharge flows. As part of their design the hydraulic engineer is to limit stormwater discharge from the proposed development, by utilising a combination of pipe sizing and/or on-site detention, to that equivalent to only 50% of the development site being impervious. There is to be no uncontrolled overland flow discharge from the proposed development to any of the adjoining

properties, for all the above nominated storm events. All design calculations are to be submitted for approval by the City Engineer prior to lodgement of any subsequent building permit applications.

6. Subject to the above, and as part of any subsequent plumbing permit application, the proposed development is to have a suitably sized stormwater connection generally in accordance with the Tasmanian Standard Drawings. The size and location of the proposed stormwater connection is to be designed by a suitably qualified hydraulic engineer.
7. The new driveway is to be constructed generally in accordance with the Tasmanian Standard Drawing TSD-R09-v3. The proposed light vehicle parking and circulation is to comply with AS/NZS 2890.1:2004 Parking Facilities Part 1 - Off-street Carparking. In addition, the requirements of AS/NZS 2890.6:2009 - Parking facilities - Off-street parking for people with disabilities are to be met.
8. The developer is to remove the redundant driveway crossovers and reinstate with kerb and channel and nature strip to Council's specification.
9. During any demolition work stormwater services are to be disconnected and temporarily capped for re-use. Any capped service is to be inspected by a Council officer.
10. The developer is to be responsible for making good and/or cleaning any footpaths, road surfaces or other element damaged or soiled because of the project.
11. The contractor is to ensure the proposed access shall not cause any undue disturbance to neighbouring properties nor the regular vehicular movement of traffic within the road reserve during the demolition process.
12. A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.
13. The developer is to ensure that building, driveway, and car parking areas are set at suitable levels to ensure that stormwater site drainage can be piped at suitable gradients to the required service connection point.
14. There is to be no uncontrolled overland flow of stormwater from the proposed development to any of the adjoining properties.
15. 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.
16. All security lighting must be baffled to ensure direct light does not extend into the adjoining properties.
17. An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement.

Note: The following is provided for information purposes.

The development is to comply with the requirements of the current National Construction Code. The developer is to obtain the necessary building and plumbing approvals and provide the required notifications in accordance with the *Building Act 2016* prior to commencing building or plumbing work.

Permitted hours of demolition/construction work are Monday to Friday from 7am - 6pm, Saturday from 9am - 6pm and Sunday and statutory holidays from 10am - 6pm.

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.

No burning of any waste materials (including cleared vegetation) is to be undertaken on site. Any waste material is to be removed and disposed of at a licensed refuse waste disposal facility.

This permit includes approval for the demolition of buildings/structures existing on the subject site.

In regard to condition 15 the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 3-12 the applicant should contact Council's Infrastructure & Works Department – Ph 6424 0511 with any enquiries.

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

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 7 / 0

5 REPORTS

5.1 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - NOMINATION FOR GENERAL MANAGEMENT COMMITTEE

Mayor Jarman vacated the Chair. Cr Hollister assumed the Chair.

Cr Jarman left the meeting at 5:53 pm.

23/59 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Wilczynski

That Council nominate Mayor Alison Jarman for the Local Government Association of Tasmania (LGAT) General Management Committee.

FOR: Cr Hollister, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 6 / 0

Cr Jarman returned to the meeting at 5:55 pm.

Cr Hollister vacated the Chair. Mayor Jarman resumed the Chair.

5.2 2022/23 BUDGET CONSULTATION

23/60 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Viney

That Council receive and note the Budget Consultation 2023/24 report and refer submissions to its budget deliberations.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 7 / 0

5.3 TECHNOLOGYONE SOFTWARE ENTERPRISE LICENSING CONTRACT RENEWAL

23/61 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council by absolute majority in relation to the TechnologyOne Enterprise Licensing Contract:

- a) acknowledge that in accordance with section 27 (i) (iii) of the *Local Government (General) Regulations 2015* that a formal tender process was not undertaken due to the unavailability of competitive or reliable tenderers; and
- b) renew the contract for a 3-year term for an annual cost of \$232,437 in Year 1 and \$293,077 in Year 2 & 3 (a \$818,593 investment over the full term of the contract).

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 7 / 0

5.4 CCTV STRATEGY 2023 - 2027

23/62 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That the CCTV Strategy 2023 - 2027 be adopted with immediate effect.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

5.5 FINANCIAL ASSISTANCE SCHEME ROUND TWO 2022-2023

23/63 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Hollister

That Council:

- a) receive and note the Financial Assistance - Community Grants report; and
- b) approve the Major and Minor Grants for Round Two of the 2022/23 Community Grants Program as follows:

Major Grants

Devonport Senior Citizens Club Inc	\$3,000.00
Spreyton Football Club	\$8,500.00
Parakaleo Ministries Inc T/A Choose Life Services	\$5,000.00
Spreyton Scout Group	\$7,500.00
Don River Railway (underwrite only)	\$7,500.00
Mersey Rowing Club Incorporated	\$5,978.50
Spreyton Cricket & Community Club	\$5,000.00
Devonport Country Club Ltd	\$12,500.00

Minor Grants

Devonport Orions Cricket Club	\$2,500.00
East Devonport Bowls Club	\$3,828.00
TANA (Trauma Awareness Network Australia)	\$2,000.00
Devonport Devils Masters Swimming Club	\$2,000.00
Bowls Tasmania Inc	\$3,000.00

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

23/64 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

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

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

6.2 MAYOR'S MONTHLY REPORT

23/65 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Viney

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

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

6.3 GENERAL MANAGER'S REPORT

23/66 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Viney

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

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

6.4 MONTHLY OPERATIONAL REPORT - FEBRUARY 2023

23/67 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Martin

That Council receive and note the Monthly Operational Report for the period ending 28 February 2023.

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

7 SECTION 23 COMMITTEES

Nil

8 CLOSED SESSION

23/68 RESOLUTION

MOVED: Cr Martin
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 – 27 February 2023	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15 (2)(g)
5.1	Tender Report - Devonport Stadium Principal Consultant	15(2)(b)(d)

FOR: Cr Hollister, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Viney and Cr Wilczynski
AGAINST: Nil

CARRIED 7 / 0

**The Mayor adjourned the meeting at 6:15pm to reconvene in Closed Session at 6:17pm.
The Council moved out Closed Session at 6:26pm.**

Council resumed in open session at 6:26pm.

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 – 27 February 2023	Confirmed
3.2	Application for Leave of Absence	Approved
4.1	Confidential Attachments	Noted
5.1	Tender Report - Devonport Stadium Principal Consultant	Authorised the General Manager to finalise contractual agreement with preferred tenderer

9 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6:26pm.

Confirmed - Minutes Confirmed 24 April 2023 - MIN Refers 23/74

A handwritten signature in black ink, appearing to read 'Alison Jarman', with a small mark to the right.

Chairperson - Mayor Alison Jarman