

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 24 JULY 2023 COMMENCING AT 5:30 PM

| Meeting | From | To | Time Occupied |
|----------------|-------------|-----------|----------------------|
| Open Session | 5:30pm | 6.35pm | 65 min |
| Closed Session | 6.37pm | 6.54 pm | 17 min |
| Total | | | 82 min |

Present

- Cr A Jarman (Mayor)
- Cr S Sheehan (Deputy Mayor)
- Cr G Ennis
- 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 Skirling
- Community Services Manager, K Hampton
- Infrastructure Manager, J Bellchambers
- Finance Manager, J Jackson
- 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

There were no apologies received.

2 DECLARATIONS OF INTEREST

The following Declaration of Interest was advised:

| Councillor | Item No | Reason | Remaining in Meeting? Yes/No | If remaining, reason/s for decision |
|----------------|---------|--|---------------------------------|-------------------------------------|
| Cr P Hollister | 5.3 | Board Member of Youth Family and Community Connections | No | |

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

23/135 RESOLUTION

MOVED: Cr Viney

SECONDED: Cr Enniss

That the minutes of the Council meeting held on 26th June 2023 as previously circulated be confirmed.

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

AGAINST: Nil

CARRIED 9 / 0

3.2 PUBLIC QUESTION TIME

3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

23/136 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Moore

That the responses to questions from Mr Gardam and Mr Janney at the June 2023 Council meeting be noted.

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

AGAINST: Nil

CARRIED 9 / 0

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

23/137 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Sheehan

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

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

CARRIED 9 / 0

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Douglas Janney, 23 Watkinson St Devonport TAS 7310

Q1. Now that the Tas Ports has outlined the plans for the East side of the Port when is the council and Tas Ports going to remove their illegal parking on the cycle track on the west side of Wright Street?

The Mayor advised that this question will be taken on notice and a response provided.

Q2. Back in time when the council issued the rates notice for the following year it included half a dozen vouchers for access to the transfer station. That was removed for some reason or another, when you go now you pay. But In addition you have got to pay GST so the question I have - the rates that have just been issued for next year there were no vouchers so when can I come and get some vouchers for access to the transfer station?

Response

The General Manager advised that Council has not provided vouchers for well over a decade and there is no plan to do so at this point.

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

Nil

4 PLANNING AUTHORITY MATTERS

Nil

5 REPORTS

5.1 CRADLE COAST WASTE MANAGEMENT GROUP ANNUAL PLAN AND BUDGET - 2023-2024

23/138 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council note and endorse the Cradle Coast Waste Management Group's 2023/24 Annual Plan and Budget.

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

AGAINST: Nil

CARRIED 9 / 0

5.2 TENDER REPORT CONTRACT CB0120 THEATRE CEILING, LIGHTS PAINTING & CARPET

23/139 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Viney

That Council in relation to Contract CB0120 Theatre Ceiling, Lights, Painting & Carpet, award the contract to AJR Construction and:

1. Award contract CB0120 Theatre Ceiling, Lights, Painting & Carpet for the tendered sum of \$406,867 (ex GST) for the Suspended Plaster Ceiling Option;
2. Complete a structural engineering assessment to confirm structural capacity for Suspended Plaster Ceiling Option at an estimated cost of \$10,000 (ex GST);
3. Allow a construction contingency of \$42,687. (ex GST);

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4. Allow project management and administration costs of \$10,000 (ex GST); and
 5. Note that the forecast budget overrun of \$95k will be offset by savings on other projects.

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

AGAINST: Nil

CARRIED 9 / 0

5.3 YOUTH FAMILY AND COMMUNITY CONNECTIONS - LEASE AND PARTNERSHIP AGREEMENT

Cr Hollister left the meeting at 5:41 pm.

23/140 RESOLUTION

MOVED: Cr Moore

SECONDED: Cr Sheehan

That the Lease and Partnership Agreement between Council and Youth Family and Community Connections be approved for execution.

FOR: Cr Enniss, Cr Jarman, Cr Martin, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Nil

CARRIED 8 / 0

Cr Hollister returned to the meeting at 5:45 pm.

5.4 LOCAL GOVERNMENT REFORM STAGE 2 INTERIM REPORT SUBMISSION

23/141 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Enniss

That Council endorse the attached submission in response to the Stage 2 Interim Report released as part of the Tasmanian Government's Future of Local Government Review.

FOR: Cr Enniss, Cr Hollister, Cr Jarman, Cr Moore, Cr Murphy, Cr Sheehan, Cr Viney and Cr Wilczynski

AGAINST: Cr Martin

CARRIED 8 / 1

6 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

23/142 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Viney

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

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

AGAINST: Nil

CARRIED 9 / 0

6.2 MAYOR'S MONTHLY REPORT

23/143 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Wilczynski

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

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

AGAINST: Nil

CARRIED 9 / 0

6.3 GENERAL MANAGER'S REPORT

23/144 RESOLUTION

MOVED: Cr Viney

SECONDED: Cr Murphy

That the report of the General Manager be received.

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

AGAINST: Nil

CARRIED 9 / 0

6.4 MONTHLY OPERATIONAL REPORT - JUNE 2023

23/145 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Hollister

That Council receive and note the Monthly Operational Report for the period ending 30 June 2023.

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

AGAINST: Nil

CARRIED 9 / 0

6.5 UNCONFIRMED MINUTES DEVONPORT CITY COUNCIL AUDIT PANEL - 5 JUNE 2023

23/146 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Hollister

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on 5 June 2023.

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

AGAINST: Nil

CARRIED 9 / 0

7 CLOSED SESSION

23/147 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Viney

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 - 26 June 2023 | 15(2)(g) |
| 3.2 | Application for Leave of Absence | 15(2)(h) |
| 4.1 | Confidential Attachment | 15(2)(g) |
| 5.1 | Outstanding Debtors - 90 Days and Over | 15(2)(j) |
| 5.2 | Outstanding Rates Debtors - 3 Years and Over | 15(2)(j) |

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

CARRIED 9 / 0

The Mayor adjourned the meeting at 6.35pm to reconvene in Closed Session at 6.37pm.

The Council moved out Closed Session at 6.53pm.

Council resumed in open session at 6.53pm.

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 - 26 June 2023 | Confirmed |
| 3.2 | Application for Leave of Absence | Granted |
| 4.1 | Confidential Attachment | Noted |
| 5.1 | Outstanding Debtors - 90 Days and Over | Report received and noted |
| 5.2 | Outstanding Rates Debtors - 3 Years and Over | Report received and noted and determined to progress to sale |

8 CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 6.53pm.

Confirmed - Minutes confirmed 28 August 2023 - MIN Refers 23/154



Chairperson