

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 26 FEBRUARY 2024 COMMENCING AT 5:30 PM

Meeting	From	To	Time Occupied
Open Session	5:30pm	6.42pm	72 min
Closed Session	6.44pm	6.48pm	4 min
Total			76 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 Skirving
Executive Coordinator, C Jordan
Infrastructure Manager, J Bellchambers
Senior Accountant, N Maggs

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

There were no Declarations of Interest.

3 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

24/18 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Martin

That the minutes of the Council meeting held on Monday 22 January 2024 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

24/19 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Enniss

That the responses to questions from Ms Marta Wiatrouska, Mr Doug Janney and Mr Shane 'Cush' Allison at the January 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

Nil

3.2.3 QUESTIONS WITHOUT NOTICE FROM THE PUBLIC

Nil

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 - SURFER SHELTER AT AIKENHEAD POINT - CR D VINEY

PROCEDURAL MOTION

MOVED: Cr Murphy
SECONDED: Cr Enniss

That the matter be deferred.

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

LOST 4 / 5

24/20 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Moore

That Council investigates options in relation to the possibility of constructing a surfer's "shelter" in proximity and being able to view the river break at Aikenhead Point and consider funding as a possibility in the 24/25 budget deliberations.

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

CARRIED 8 / 1

3.4.2 NOTICE OF MOTION - REQUEST LEGISLATION TO INCLUDE THE HOLDING OF WORKING WITH VULNERABLE PEOPLE CARD IN ELIGIBILITY CRITERIA FOR NOMINATING AS A COUNCILLOR - C L MURPHY

24/21 RESOLUTION

MOVED: Cr Murphy

SECONDED: Cr Martin

That Council submit the following motion at the next LGAT (Local Government Association of Tasmania) General Meeting:

"That LGAT request the State Government legislate, that eligibility for nomination as councillor requires a person to hold a Working with Vulnerable People Card."

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

4 PLANNING AUTHORITY MATTERS

Nil

5 REPORTS

5.1 TENDER REPORT CT0369A SPREYTON CONNECTOR DESIGN AND CONSTRUCT BRIDGE

24/22 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Murphy

That Council in relation to Contract CT0369A Spreyton Connector Bridge Design and Construct:

1. award the contract to Buildrite Construction & Project Management for the tendered sum of \$367,349 (ex. GST);
2. note project management and administration costs of \$20,000 (ex. GST); and
3. note a construction contingency of \$163,826 (ex. GST).

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 1354 CLEANING OF COUNCIL FACILITIES

24/23 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Moore

That Council in relation to Contract 1354 Cleaning of Council Facilities:

1. award the 2-year schedule of rates contract to Command 51 for the nominal baseline tendered sum of \$519,104 per annum (ex GST); and
2. note the contract allows for three one-year contract extensions.

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 CAPITAL BUDGET ADJUSTMENTS

24/24 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Martin

That Council approves adjustments to the 2023/24 capital budget estimates as contained in this report.

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

5.4 FUTURE OF LOCAL GOVERNMENT FINAL REPORT

24/25 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Enniss

That Council endorse the attached submission in response to the Final Report into the Future of Local Government Review.

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

5.5 EXTENDING CRADLE COAST WASTE MANAGEMENT GROUP MEMBERSHIP

24/26 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That Council receive this report and endorse the new Terms of Reference of the Cradle Coast Waste Management Group to include King Island and West Coast Councils into the group.

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 INFORMATION

6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING

24/27 RESOLUTION

MOVED: Cr Martin
SECONDED: Cr Sheehan

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

24/28 RESOLUTION

MOVED: Cr Moore
SECONDED: Cr Sheehan

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

24/29 RESOLUTION

MOVED: Cr Viney
SECONDED: Cr Sheehan

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 - JANUARY 2024

24/30 RESOLUTION

MOVED: Cr Hollister
SECONDED: Cr Sheehan

That Council receive and note the Monthly Operational Report for the period ending 31 January 2024.

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 - 27 NOVEMBER 2023

24/31 RESOLUTION

MOVED: Cr Murphy
SECONDED: Cr Hollister

That Council receive and note the unconfirmed minutes of the Audit Panel meeting held on Monday 27 November 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

24/32 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 – 22 January 2024	15(2)(g)
3.2	Application for Leave of Absence	15(2)(h)
4.1	Confidential Attachments	15(g)(h)

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

The Mayor adjourned the meeting at 6.42 pm to reconvene in Closed Session at 6.44 pm.

The Council moved out of Closed Session at 6.48 pm and resumed in Open Session at 6.48 pm.

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 – 22 January 2024	Confirmed
3.2	Application for Leave of Absence	Granted
4.1	Confidential Attachments	Noted

8 CLOSURE

There being no further business on the agenda, the Mayor declared the meeting closed at 6.48 pm.

Confirmed : Minutes confirmed 25 March 2024 - MIN Refers 24/37



Chairperson