

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL  
HELD IN THE ABERDEEN ROOM, LEVEL 2, PARANAPLE CENTRE, 137 ROOKE STREET,  
DEVONPORT ON TUESDAY, 29 JANUARY 2019 COMMENCING AT 5:30PM**

| <b>Meeting</b> | <b>From</b> | <b>To</b> | <b>Time Occupied</b> |
|----------------|-------------|-----------|----------------------|
| Open Session   | 5:30pm      | 6:36pm    | 1 hour 6 minutes     |
| Closed Session | 6:37pm      | 6:40pm    | 3 minutes            |
| Total          |             |           | 1 hour 9 minutes     |

**PRESENT:** 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, P West  
Executive Manager Corporate Services, J Griffith  
Executive Manager Organisational Development, K Peebles  
Community Services Manager, K Hampton  
Development Services Manager, K Lunson  
Senior Planner, C Milnes  
Media & Communication Officer, N Tapp

**Audio Recording:**

All persons in attendance were advised that it is Council policy to record Council meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months.

**1.0 APOLOGIES**

There were no apologies received.

**2.0 DECLARATIONS OF INTEREST**

The following Declarations of Interest were advised:

|           |       |   |
|-----------|-------|---|
| Cr Jarman | 3.4.1 | Painting of Murals on Silos Operated by Tasmanian Stockfeed Services – Notice of Motion – Cr Leon Perry |
|-----------|-------|---|

**3.0 PROCEDURAL**

**3.1 CONFIRMATION OF MINUTES**

**3.1.1 COUNCIL MEETING - 17 DECEMBER 2018**

**01/19 RESOLUTION**

MOVED: Cr Perry  
SECONDED: Cr Jarman

That the minutes of the Council meeting held on 17 December 2018 as circulated be confirmed.

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Enniss    | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

### 3.2 PUBLIC QUESTION TIME

#### 3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS

##### 02/19 RESOLUTION

MOVED: Cr Laycock

SECONDED: Cr Murphy

That the responses to questions from Mr Rodney Russell, Mr Trevor Smith, Ms Wendy Hilditch and Mr Malcolm Gardam at the 17 December 2018 Council meeting be noted.

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Enniss    | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

#### 3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC

##### 03/19 RESOLUTION

MOVED: Cr Perry

SECONDED: Cr Enniss

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

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Enniss    | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

#### 3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

##### WENDY HILDITCH – 41 MURRAY STREET, EAST DEVONPORT

In reference to the written response I received from Council on 20 December 2018 concerning 26 North Caroline Street, East Devonport, I would like to know the following:

**Q1** Where did Council receive 'recent' legal advice that rebuts Section 12 of the current *State Land Use Planning and Approvals Act 1993* re existing uses and developments, and can the Council provide me with a copy of such advisements?

**Response**

The Mayor responded that as Ms Hilditch was asking for a copy, Council will respond in writing.

**Q2** The second question I am asking is referring to backpackers accommodation. Can I be advised as to the requirements of backpackers accommodation and the reason I am asking is because we have a massive amount of backpackers now residing in the East Devonport area, probably all over Devonport, but particularly in the East Devonport area because of Costas with their fruit. I spoke to somebody at the Council sometime ago with regards to this, they said that homeowners can have backpackers living in their property if the owner lives in the property, they are then referred to as boarders, which I can understand. However there are a number of places in East Devonport where the actual owners do not reside. I have one immediately opposite me in Murray Street where there are currently twenty backpackers living in a two bedroom home.

Could you advise me of the law pertaining to whether or not houses should have a specific zoning for a backpackers, mainly because of health reasons and security reasons?

**Response**

The Senior Planner responded that there are a variety of methods that people can use to use their homes as visitor accommodation. There are a few around at the moment that don't require any permits and there is no legislation to say how many people can reside in a house. So it could be that you have a four bedroom house and you can use that for visitor accommodation and normally you might have say eight people staying, but there is no legislation to put a top limit on the number of people.

**HENRIETTA PORTER – 24 ROBERTS COURT, DEVONPORT**

March last year I sent a letter to the Council and asked them about having somebody mow the naturestrip out the front of my place because I cannot do it anymore. I've done it for fifteen years and my spine has gone on me and I cannot do it again. I was told on Friday that I would have to pay somebody to have it done. I'm not going to pay anyone because it is not my property. I had my yard cemented in so as I didn't have that to mow, so I'm not going to mow the naturestrip. I want the Council to get somebody to mow the naturestrip.

**Response**

The General Manager advised that Council does have a policy in relation to this matter and in fact Council will maintain naturestrips, but only when they get to the stage that they have grown to a length of around 300mm, so usually what will happen is that they would be mown once or twice per year. They are not mown on a regular basis and kept in a normal, pristine lawn like state.

**DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT**

**Q1** Last Saturday, 26 January at 7:20am Wright Street, East Devonport was blocked and traffic could not proceed north or south due to the Spirit traffic from the lights at Murray and Tarleton Streets along Murraby Street to the entrance of the Spirit marshalling entrance. I could not travel south along Wright Street when I arrived at the roundabout. On a previous occasion travelling north along Wright Street I was held up at the roundabout for the same sort of blockage.

When is it anticipated that the roundabout road markings will be in place so that the blockages on Wright Street do not occur?

**Response**

The Mayor responded that she is certainly aware that Council is in discussions with TasPorts and the TT Line around solutions relating to Spirit traffic concerns.

The General Manager advised that those discussions are ongoing, but as the question is about linemarking in particular at the roundabout a response will be provided in writing.

**Q2** On Monday 21 January a truck with a 6m container on the truck tray travelling west in the treed section of Stewart Street bashed the trees foliage on both sides of the container.

When is it anticipated that the trees on both the east and west roads will be trimmed back?

**Response**

The Mayor advised that the question would be taken on notice and a response provided in writing.

**RODNEY RUSSELL – 225 STEELE STREET, DEVONPORT**

**Q1** What is the final date for warranty/maintenance on the paranable centre?

**Response**

The General Manager advised that there is a process where any building of this nature has a defects period. My recollection is that it is a twelve month period which would take it through to around the end of August 2019.

**Q2** It would be good to see the Queen Mary Rest Park returned to Council control for public use until such time as the developer is again able to continue work. What can the Council do to enable this to happen?

**Response**

The General Manager advised that as a result of a similar question being raised previously Council has contacted Crown Land who are the owners of the land and expressed concerns, which have been raised by the community, about the state that piece of land is being kept in. Council has sent photos and had further discussion with Crown Land, however they don't have any concerns at this stage and the licence that they entered into will continue until the expiration date.

**TREVOR SMITH – 7 GLEN COURT, DEVONPORT**

**Q1** I went to the Council office, at the paranable centre, on the 22-1-2019 to make a complaint about the tall grass, well over a metre tall, at 33 Dana Drive, I also rang, a week before this date to report this issue, on Council owned land. The adjoining residents have also made complaints, to deaf ears!

Why has this issue not been addressed sooner, is it to do with finding monies, to have the job done, or something else? As a ratepayer, of the LIVING CITY, I find it very slack of Council to have not taken action on repeated requests.

**Q2** With reference to file number 35187, to replace the rusty, flaking cables, supporting the air ducts in place, over the whole indoor pool complex, with G316 stainless cables. Your reply was "Council is aware of the issues with the cables and is currently in the process of seeking quotations for the replaement as part of routine ongoing maintenance of the facility".

With the cables in such a dire condition and looking at the Council tenders in the local media, since December, can you give me a date when this tender process

is going to happen, within the next month? This issue should be done as soon as possible, as you have a Duty of Care, to the ratepayers and visitors that use that facility!

**Response**

The Mayor advised that as requested by Mr Smith the questions would be taken on notice and a response will be provided in writing.

**MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA**

**Q1** This is in relation to the scope and costs for fitouts for Providore Place tenancies Council has advised:

*"Fit-out and determination of the allocation to the tenancies is the responsibility of the head lessee, Providore Place (Devonport) Pty Ltd."* and

*"The arrangements entered into for the amount paid as lease incentives to individual tenancies are confidential between Providore Place (Devonport) Pty Ltd and their sub-lessee."*

Council has also stated *"As previously advised the food pavilion project will need modifications to suit the nature and requirements of the tenancies to cater for previously unknown requirements. This work is being/has been completed in conjunction with the fit-out works and has not been separately itemised from a costing perspective"*.

Clearly, we are being told that there are works to accommodate tenant-specific requirements that have *"not been separately itemised from a costing perspective."*

How there can now be *"previously unknown requirements"* after having years to plan the fit-out of these supposedly secured tenants certainly in my mind, brings into question the ability of the project's management.

Accordingly, who is accountable to Council regarding proper oversight, management, scoping of the actual works, recommendations to Council and cost approvals for each of the *"base building"* and *"fit for purpose"* construction phases of Providore Place tenancies involving the expenditure of taxpayer and ratepayer funds?

**Response**

The General Manager responded that ultimately he is responsible.

**Q2** Were Councillors aware that the \$850,000 provisional sum was for *"lease incentive payments,"* including *"equipment and fixtures"* and are the individual tenant *"lease incentive payments"* as described by Council (currently disclosed as being \$651,899 as at 24/12/18) plus the undisclosed costs to the tenant-specific requirements incorporated into the *"base building"* separately approved by the Councillors in Closed Session?

**Response**

The General Manager advised that the answer to the question is, no. All payments are approved through the normal process by Council management.

**BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

Mayor I refer to my questions without notice asked at the Governance Finance & Community Service Committee meeting 21<sup>st</sup> January 2019 and the responses given in the agenda for tonight reference page 146.

The questions were in regard to the proposed demolition of the former Harris Scarfe building without tenders being sought for the work and the financial arrangements made to carry out that work.

Response – “The General Manager advised the demolition of the building is part of the contract that Council has entered into with Fairbrother in relation to their purchase of part of that area of land, about half, which the building is actually situated on with the balance on Council public land. Therefore as part of the discussions and negotiations between Council and Fairbrother, the demolition of the building was included as part of that process”.

In regard to the financial arrangements the General Manager advised, in words to the effect, that they were dealt with in a Closed Session of Council and information is not available at this time, however the information relating to the land transaction will be made public at the appropriate time and also in the Council's Annual Report.

**Q1** When will be the appropriate time to reveal the information of the land transaction for the hotel site, and details of the agreement with Fairbrother about the demolition and financial arrangements? Also can you give me the relevant section of the Local Government Act that states why you cannot give this information at this time and what penalty would be imposed if the information pertaining to the above was disclosed now to ratepayers?

**Response**

The Mayor advised that she could answer the first part of the question, it will be when Council as a Council decides that it will be released, other than that it will be certainly be in the Annual Report.

The General Manager responded to the second part of the question by advising that the process is presently there has been no decision by Council to release the information, it was dealt with in Closed Session and there are significant penalties under the Local Government Act (for release of information) but primarily it is considered to be an offence and therefore it would require the matter being referred through a Magistrate's Court and the penalties from memory are I think 50 penalty units which is somewhere in the vicinity of \$5,000 or \$10,000 as a fine, maximum of course.

**Bob Vellacott**

Mayor I refer to the Advocate report January 9<sup>th</sup> 2019 in regard to release of information given that Council secretly gave a rent reprieve to Providore Place Pty Ltd of \$250,000 just weeks prior to the Council election.

It is in my opinion, if the report was factual, then it was deceitful and orchestrated by those seeking re-election, who voted for it, to ensure they did not have to disclose to electors the fact that a \$250,000 rent reprieve had been given.

The **Mayor** advised Mr Vellacott, that his time was up, and that he may come back with a third question if there is time.

**TREVOR SMITH – 7 GLEN COURT, DEVONPORT**

**Q3** Why did Council have to spend ratepayers valuable money on doing alterations to the pedestrian island at the front of Woolworths, Best Street entrance? These works weren't necessary, as there is a NO RIGHT turn sign, at the exit from Woolworths Car Park, Best Street! Are you trying to change the road rules, if so, take it away fully, for the drivers, who want to turn right?

**Response**

The Mayor advised that the answer would be that no, we are not changing the road rules there was obviously a safety issue.

**MALCOLM GARDAM – 4 BEAUMONT DRIVE, MIANDETTA**

**Q3** Noting that the projected Living City Stage 1 revenue streams, if achieved, do not currently meet loan interest payments and with reference to the Living City Stage 1 "Operational Budget Inclusions" detailed on page 37 of the June 2018 Meeting Agenda, will Council please name the specific commercial arrangements that contribute to the stated rental value of \$1,128,500 for the 2018-2019 financial year?

I've got a note here to that, that individual rental amounts are not requested just the naming of the enterprises that net rent gains are being derived from while acknowledging that the projected new multi-level carpark revenue has been identified separately as \$303,200 which is reduced from the initial Stage 1 Funding Model budgeted "*net car parking revenue of \$987,000*" on page 15 and previously confirmed by the Deputy General Manager as being reliant on all parking revenue at that time, despite stating on page 3 that "*It assessed the project in its own right to ensure the proposed works are viable and sustainable from a funding perspective, without relying on income from Council's existing revenue streams.*"

So I repeat the question, will Council please name the specific commercial arrangements that contribute to the stated rental value of \$1,128,500 for the 2018-2019 financial year?

**Response**

The General Manager advised that from memory - Harris Scarfe, Jonrod Pty Ltd, Dulverton Waste Management, Harcourts Real Estate, Hudsons Coffee, there was an allocation in there in relation to the Food Pavilion which you referred to previously. There is also the income from the Convention Centre and possibly another one that I have forgotten.

**BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT**

**Q3** If it was the fact that Council did give Providore Place a \$250,000 rent reprieve, you could have informed the management of Providore Place that you would only consider the request for a rent reprieve if it was discussed in open Council, or that it would be make known publicly the decision made. It was decided in a closed session of Council. Could you have not done that if it was a fact that they did apply for a \$250,000 rent reprieve?

**Response**

The Mayor responded, that yes, we could have done that.

**3.3 NOTICES OF MOTION**

Cr Jarman having declared an interest in the next item left the meeting 6:00pm.

**3.4.1 PAINTING OF MURALS ON SILOS OPERATED BY TASMANIAN STOCKFEED SERVICES - NOTICE OF MOTION - CR LEON PERRY (D564292)**

**04/19 RESOLUTION**

MOVED: C Perry  
SECONDED: Cr Laycock

That Council supports in principle the painting of tasteful murals or similar artwork on the six (6) silos operated by Tasmanian Stockfeed Services on the western side of the of the Mersey River on the following basis:

- As Council is not the property owner or tenant, it has no jurisdiction over the site (aside from potential planning considerations) and therefore is

unable to adopt the project as its own, or assume any responsibility for the project;

- Council can assist the initiators and drivers of the project with grant funding advice should it be sought;
- Council will not be expected to contribute financially to the project.

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |

CARRIED UNANIMOUSLY

Cr Jarman returned to the meeting at 6:04pm.

#### 4.0 PLANNING AUTHORITY MATTERS

#### 4.1 PA2018.0185 RESIDENTIAL (SINGLE DWELLING AND STUDIO) - 7 CHARLOTTE GARDENS DEVONPORT (D563733)

##### 05/19 RESOLUTION

MOVED: Cr Perry  
SECONDED: Cr Murphy

That Council, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993*, approve application PA2018.0185 and grant a Permit to use and develop land identified as 7 Charlotte Gardens, Devonport for the following purposes:

Residential (single dwelling & studio)

Subject to the following conditions:

1. The Use and Development is to proceed generally in accordance with the submitted plans referenced as Proposed Residence and Studio, Project Number: 18-426, pages 101-123 Rev B, by Lachlan Walsh Design, dated 25 September, 2018, copies of which are attached and endorsed as documents forming part of this Planning Permit.
2. Acoustic insulation and 13mm plasterboard is to be installed in the walls and ceilings of all bedrooms (see notes below).
3. The existing stormwater connection is to be used for the purposes of the proposed development.
4. The existing driveway access is to be used for the purposes of this proposed development.
5. 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.

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.

In regard to condition 2, it is recommended that appropriately installed building materials with suitable acoustic qualities be installed throughout the entire dwelling and the proposed studio to mitigate traffic noise from the railway, eg acoustic insulation, 13mm plasterboard etc.

A drainage vent is required on any sewer branch drain exceeding 10 metres. The proposed outdoor shower is to connect to the sewer drainage system.

The upper floor waste is to have a fixture discharging to it or an approved method of priming the trap.

Any existing Council infrastructure impacted by the works is to be reinstated in accordance with the relevant standards.

A permit to work within the road reserve must be sought and granted prior to any works being undertaken within the road reserve.

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 8, the applicant/developer should contact TasWater – Ph 136992 with any enquiries.

In regard to conditions 6 & 7, the applicant should contact Council's City Infrastructure Department – Ph 6424 0511 with any enquiries.

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

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Ennis     | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

**5.0 REPORTS**

**5.1 TENDER REPORT - CONTRACT CT0226 - PARKER AND RONALD STREETS INTERSECTION UPGRADE (D559266)**

**06/19 RESOLUTION**

MOVED: Cr Laycock  
 SECONDED: Cr Jarman

That Council, in relation to Contract CT0226 Parker & Ronald Street Intersection Upgrade:

- a) award the contract to Civilscape Contracting Tasmania for the tendered sum of \$214,395 (ex GST);
- b) note that Telstra & Tasnetworks Relocations costs for the project are estimated at \$30,263 (ex GST);

- c) note that tree and plant costs for the project are estimated at \$4,800 (ex GST);
- d) project management costs for the project are estimated at \$17,000 (ex GST); and
- e) note a contingency allowance of \$21,440 (ex GST).

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

## 5.2 COMMUNITY CONSULTATION - WATERFRONT PRECINCT (D559670)

### 07/19 RESOLUTION

MOVED: Cr Jarman  
 SECONDED: Cr Enniss

That Council receive the report regarding the Waterfront Precinct consultation and note that it will be further workshopping the design with the Architect's in February, taking into consideration the various comments received.

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

## 5.3 PETITION - REQUEST TO CONSTRUCT FOOTPATH IN APPLIEDORE STREET, DEVONPORT (D561411)

### 08/19 RESOLUTION

MOVED: Cr Laycock  
 SECONDED: Cr Alexiou

That Council receive and note the petition relating to the construction of a footpath in Appledore Street and determine to advise the proposers of the petition that Council intends to maintain the Appledore Street footpath project in the future section of the Capital Works Program, until such time as it becomes a priority.

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    |     | ✓       |              |     |         |

CARRIED

**5.4 LIVING CITY LOAN (D563212)****09/19 RESOLUTION**

MOVED: Cr Perry  
 SECONDED: Cr Hollister

That Council receive and note the report regarding its debt financing and authorise the General Manager to:

1. accept the offer from the Australia and New Zealand Banking Group Limited (ANZ) to refinance Council's existing debt of approximately \$52,556,000;
2. solely execute the necessary loan and security documentation with ANZ; and
3. determine and modify, as required, the mix of variable and fixed components of the total borrowings, based on anticipated business needs.

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Ennis     | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

**5.5 REVIEW OF DEVONPORT FOOD AND WINE 2018 (D564287)****10/19 RESOLUTION**

MOVED: Cr Milbourne  
 SECONDED: Cr Jarman

That the report relating to Devonport Food and Wine 2018 be received and noted that the Devonport Food and Wine Committee will undertake a review of the event structure early in 2019.

|              | <b>For</b> | <b>Against</b> |              | <b>For</b> | <b>Against</b> |
|--------------|------------|----------------|--------------|------------|----------------|
| Cr Rockliff  | ✓          |                | Cr Laycock   | ✓          |                |
| Cr Alexiou   | ✓          |                | Cr Milbourne | ✓          |                |
| Cr Ennis     | ✓          |                | Cr Murphy    | ✓          |                |
| Cr Hollister | ✓          |                | Cr Perry     | ✓          |                |
| Cr Jarman    | ✓          |                |              |            |                |

CARRIED UNANIMOUSLY

**6.0 INFORMATION****6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D561068)**

There were no Workshops or Briefing Sessions held since the last Council meeting.

**6.2 MAYOR'S MONTHLY REPORT (D563511)****11/19 RESOLUTION**

MOVED: Cr Hollister  
 SECONDED: Cr Laycock

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

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Ennis     | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

**6.3 GENERAL MANAGER'S REPORT - JANUARY 2019 (D561069)****12/19 RESOLUTION**

MOVED: Cr Hollister  
 SECONDED: Cr Milbourne

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

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Ennis     | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

**7.0 SECTION 23 COMMITTEES****7.1 GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE MEETING - 21 JANUARY 2019 (D564699)****13/19 RESOLUTION**

MOVED: Cr Jarman  
 SECONDED: Cr Alexiou

That the minutes of the Governance, Finance & Community Service Committee meeting held on Monday, 21 January 2019 be received and the recommendations contained therein be adopted.

GFC 01/19 Local Government Model Code of Conduct

GFC 02/19 Annual Plan Progress Report - 1 September 2018 - 31 December 2018

GFC 03/19 Elected Members' Expenditure Report November and December 2018

GFC 04/19 Fraud and Corruption Control Policy

GFC 05/19 TechnologyOne Asset Management System Implementation

- GFC 06/19 Finance Report to 31 December 2018
- GFC 07/19 Minutes of Council's Special Interest Groups and Advisory boards
- GFC 08/19 Bass Strait Maritime Centre Cafe
- GFC 09/19 Devonport Motor Show - Partnership Agreement
- GFC 10/19 Youth Family and Community Connections - Partnership Agreement
- GFC 11/19 Alcohol and Drug Foundation - "Good Sports" initiative
- GFC 12/19 Governance & Finance Report
- GFC 13/19 Community Services, Arts and Culture Report - November/December 2018
- GFC 14/19 Unconfirmed Minutes - Shared Audit Panel - 3 December 2018

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

**EFFECTIVE DECISIONS OF THE GOVERNANCE, FINANCE & COMMUNITY SERVICE COMMITTEE CONFIRMED BY COUNCIL**

- GFC 01/19 Local Government Model Code of Conduct**  
That the report of the General Manager relating to the Model Code of Conduct be received and noted and that Council adopt the Code of Conduct as attached with immediate effect.
- GFC 02/19 Annual Plan Progress Report - 1 September 2018 - 31 December 2018**  
That the 2018/19 Annual Plan Progress Report for the period ended 31 December 2018 be received and noted.
- GFC 03/19 Elected Members' Expenditure Report November and December 2018**  
That the bi-monthly report advising of Councillor allowance and expenses be received and noted.
- GFC 04/19 Fraud and Corruption Control Policy**  
That the Fraud and Corruption Control Policy be adopted with immediate effect.
- GFC 05/19 TechnologyOne Asset Management System Implementation**  
That the TechnologyOne Asset Management System Implementation report be received; and Council:
- a) note the requirement for additional 1.89 FTE personnel to support the successful implementation during the 15 to 18 month term of the project; and
  - b) acknowledge that the FTE personnel expenditure will be recognised as capital expenditure.

- GFC 06/19 Finance Report to 31 December 2018**  
That the Finance Report for December 2018 be received and noted.
- GFC 07/19 Minutes of Council's Special Interest Groups and Advisory Boards**  
That the minutes of the Devonport Regional Gallery Advisory Board be received and noted.
- GFC 08/19 Bass Strait Maritime Centre Cafe**  
That the matter be deferred pending an updated report to Council at a later date.
- GFC 09/19 Devonport Motor Show - Partnership Agreement**  
That the revised partnership agreement between Devonport Council and the Rotary Club of Devonport North be endorsed for execution.
- GFC 10/19 Youth Family and Community Connections - Partnership Agreement**  
That the Partnership Agreement between Council and Youth Family and Community Connections be endorsed for execution.
- GFC 11/19 Alcohol and Drug Foundation - "Good Sports" initiative**  
That information relating to the Alcohol and Drug Foundation's initiative be provided to all sporting clubs and they be encouraged to consider becoming accredited through the "Good Sports" program.
- GFC 12/19 Governance & Finance Report**  
That the Governance and Finance report be received and noted.
- GFC 13/19 Community Services, Arts and Culture Report - November/December 2018**  
That the Community Services, Arts and Culture report be received and noted.
- GFC 14/19 Unconfirmed Minutes - Shared Audit Panel - 3 December 2018**  
That the unconfirmed minutes of the Audit Panel meeting held on 3 December 2018 be received and noted.

|                           |
|---------------------------|
| <b>8.0 CLOSED SESSION</b> |
|---------------------------|

**14/19 RESOLUTION**

MOVED: Cr Perry

SECONDED: Cr Laycock

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* the following items be dealt with in Closed Session:

| <b>Item No</b> | <b>Matter</b>   | <b>Local Government (Meeting Procedures) Regulations 2015 Reference</b> |
|----------------|---|---|
| 8.1            | Confirmation of Closed Minutes - Council Meeting - 17 December 2018 | 15(2)(g)  |

|     |   |          |
|-----|---|----------|
| 8.2 | Application for Leave of Absence        | 15(2)(i) |
| 8.3 | Unconfirmed Minutes – Joint Authorities | 15(2)(g) |

|              | For | Against |              | For | Against |
|--------------|-----|---------|--------------|-----|---------|
| Cr Rockliff  | ✓   |         | Cr Laycock   | ✓   |         |
| Cr Alexiou   | ✓   |         | Cr Milbourne | ✓   |         |
| Cr Enniss    | ✓   |         | Cr Murphy    | ✓   |         |
| Cr Hollister | ✓   |         | Cr Perry     | ✓   |         |
| Cr Jarman    | ✓   |         |              |     |         |

CARRIED UNANIMOUSLY

**The Mayor adjourned the meeting at 6:36pm to reconvene in Closed Session at 6:37pm.**

**The Council moved out Closed Session at 6:40pm.**

**Council resumed in open session at 6:40pm.**

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   |
|---------|---|-----------|
| 8.1     | Confirmation of Closed Minutes - Council Meeting - 17 December 2018 | Confirmed |
| 8.2     | Application for Leave of Absence                                    | Approved  |
| 8.3     | Unconfirmed Minutes - Joint Authorities                             | Noted     |

## **CLOSURE**

**With no further business on the agenda the Mayor declared the meeting closed at 6:40pm.**

Confirmed

Chairperson