

**MINUTES OF THE OPEN SESSION OF THE DEVONPORT CITY COUNCIL
HELD IN THE ABERDEEN ROOM, LEVEL 2, paranapple centre, 137 ROOKE STREET, DEVONPORT
ON MONDAY, 24 JUNE 2019 COMMENCING AT 5:30PM**

Meeting	From	To	Time Occupied
Open Session	5:30pm	6:35pm	1 hour 5 minutes
Closed Session	6:38pm	7:20pm	42 minutes
Total			1 hour 47 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

Council Officers:

General Manager, P West
Deputy General Manager, M Atkins
Executive Manager Corporate Services, J Griffith
Executive Manager Organisational Development, K Peebles
Community Services Manager, K Hampton
Project Officer, M McIver
Executive Officer, J Surtees
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

The following apology was received for the meeting.

Cr L Perry	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

The following Declarations of Interest were advised:

Cr Murphy	Item 3.2.2	Questions on Notice from the Public
Cr Milbourne	Item 3.2.2	Questions on Notice from the Public
Paul West	Item 8.6	General Manager's Performance Review 2019

3.0 PROCEDURAL

3.1 CONFIRMATION OF MINUTES

3.1.1 COUNCIL MEETING - 27 MAY 2019**106/19 RESOLUTION**

MOVED: Cr Milbourne

SECONDED: Cr Hollister

That the minutes of the Council meeting held on 27 May 2019 as previously circulated be confirmed.

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

CARRIED UNANIMOUSLY

3.2 PUBLIC QUESTION TIME**3.2.1 RESPONSES TO QUESTIONS RAISED AT PRIOR MEETINGS****107/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Laycock

That the responses to questions from Mr Trevor Smith and Mr Rodney Russell at the 27 May 2019 Council meeting be noted.

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

CARRIED UNANIMOUSLY

Cr Milbourne and Cr Murphy having declared an interest in the next item left the meeting at 5:33pm.

3.2.2 QUESTIONS ON NOTICE FROM THE PUBLIC**108/19 RESOLUTION**

MOVED: Cr Hollister

SECONDED: Cr Alexiou

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

	For	Against		For	Against
Cr Rockliff	✓		Cr Hollister	✓	
Cr Alexiou	✓		Cr Jarman	✓	
Cr Ennis	✓		Cr Laycock	✓	

CARRIED UNANIMOUSLY

Cr Milbourne and Cr Murphy returned to the meeting at 5:34pm.

3.2.3 QUESTION WITHOUT NOTICE FROM THE PUBLIC

TREVOR SMITH – 7 GLEN COURT, DEVONPORT

Q1 Recently in the media, it was noted that the Wynyard Council, is going to develop an Environmental Plan, that will focus on issues, including Proactive Resource Management, Economic Future Proofing, Sustainability of Council Activities and Community Resilience and Adaption.

This plan is foreshadowed to protect communities against the impacts of Climate Change. Does the Devonport Council have a similar plan in place, for the outcomes of climate change, if not when will one be implemented?

Q2 Will the Council, fence off the hazardous foreshore edge, at the old Clay Target Range? This is a potential risk to the Ratepayers of Devonport and tourists who frequent this area. As a Council, you have a duty of care to take action on this issue!

Response

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

GRAEME NEVIN – 145 PERCY STREET, DEVONPORT

Q1 Mayor, do you believe that the people of Devonport deserve to know the truth about all that has happened with Providore Place?

Response

The Mayor stated that the question has been asked and answered several times. You are very well aware that many of the discussions were in Closed Session and until the Council decides otherwise, they will remain confidential.

Q2 Has the Audit Panel been provided with a copy of the Providore Place Head Lease and if so, when?

Response

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

DOUGLAS JANNEY – 23 WATKINSON STREET, DEVONPORT

Q1 At the Infrastructure Works and Development Committee meeting on 8 April 2019 I asked a question that was taken on notice. I have had no notice and the front 2 sliding doors still do not have opening direction arrows. Notice time is past so what is the outcome going to be?

Response

The General Manager advised that he was sure a response had been provided and it was noted in the Council meeting minutes for the 29 April meeting. Essentially the building was inspected and approved by a qualified Building Surveyor in relation to all the entries and exits and whatever else was required to meet the standards. The matter was going to be referred to the Building Managers as to whether it was something they believed was required or not.

The situation at the current time is that it has been determined that the arrows are not required, but it will be monitored and if at some stage in the future it is determined they are necessary it will happen.

BOB VELLACOTT – 11 COCKER PLACE, DEVONPORT

Q1 Mayor, I refer to Mr Graeme Nevin's letters to the Editor of the Advocate 5 and 15 June 2019 in which he states among other things and I quote:-

"It looks like Devonport Council has made a real mess of the Providore Place head lease and is doing everything in its power to hide it"

"Ask any Devonport Councillor if any rent at all has been paid by the head lessee and see what sort of response you get – it's a simple question, well within Council's power to answer but it won't" AND:-

"Devonport Councillors are of the view that people of Devonport are unworthy of knowing the truth of Providore Place"

Mayor you and some Councillors in the past have commented on and or repudiated statements made in the press in regard to other controversial matters:-

Therefore can it be said, because there has been no repudiation, that the above statements from the said learned gentleman are all correct?

Further Mayor it must be said the decision to keep secret the questionable deals were all decided prior to the council elections.

I ask- surely I can be excused for saying it is no wonder you voted against the motion to release if possible secret information about Providore Place?

Unfortunately the newly elected Councillors are now often being wrongly accused of being part of the alleged blatant and deliberate cover up. Consequently they now have to bear that stigma of that despicable secret decision.

I noted at the December 2018 AGM the Deputy Mayor Jarman and Councillors Alexiou, Murphy and Ennis voted in support of my notice of motion which attempted to provide an avenue for Council to legally release more decisions particularly in regard to the secret agreements regarding Providore Place.

Mayor I also noted that you and Councillors Perry, Hollister, Laycock and Milbourne voted against the motion to possibly release more information.

Since the AGM it has been revealed that a rent reprieve of some \$250,000 was granted to the head lessee. Mayor because you have not refuted there was a reprieve or made publicly known that you have attempted to have that information released:

I now ask will you have the decency to make a press statement to exonerate those Councillors who are being wrongfully accused of covering up the alleged rental reprieve of \$250,000 in regard to Providore Place Devonport Pty Ltd?

Response

The Mayor advised that she would not respond to that question as it is insulting.

Q2 Mayor I note Mr Malcolm Gardam has publicly stated in the Advocate newspaper, on Cr Leon Perry's Facebook page and the agenda of 27th May 2019 to the effect that –

The Harris Scarfe site was purchased by Council for about \$1,705 per square metre with the section required by Fairbrother sold at a cost of about \$509 per square metre.

In other words – the estimated 630m² section of Harris Scarfe land and buildings alone, as acquired for the hotel, originally cost Council some \$1,074,150 has been sold to a private company for \$320,670 in line with an independent valuation, (based on a cleared site), a difference of a minimum of \$750,000.

The devaluation overall of the property is because Council in its wisdom decided to demolish a well constructed income earning building was, so it appears, to ensure the best possible deal and at the least cost for the developer, at the expense of ratepayers.

Bizarrely Council and in particular Councillor Perry have stated in words to the effect that the hotel is to be "100% privately funded" and "without any Council subsidy".

I further note – neither any other Councillor nor Cr Perry has disputed Mr Gardam's assessment/calculations: so Mayor can you please explain how you/Council can still assert that the hotel will be built without any Council subsidy?"

Response

The Mayor advised that as the question asked about square metreage values, the question would be taken on notice and response will be provided in writing.

MALCOLM GARDAM – 4 BEAUMONT CRESCENT, DEVONPORT

Q1. On Page 10 of the current June 2019 Meeting Agenda I asked the following for the first time as Question 5 of Questions on Notice in relation to the Providore Place head lease agreement:

"Further to Q4. above, will the Mayor specifically respond to each of the following as separate questions and if responded to by the General Manager it will be taken as a personal response from the Mayor;

Were you Mayor, noting your capacity as Deputy Mayor at the time, **personally made aware prior to the decision to approve signing of the Head Lease Agreement that no appropriately qualified and experienced legal practitioner was engaged by Council in developing the lease agreement**, between Providore Place (Devonport) Pty Ltd and Devonport City Council?

Will you Mayor, noting your capacity as Deputy Mayor at the time, **personally confirm that all Aldermen, at the time, were made aware prior to the decision to approve signing of the Head Lease Agreement that no appropriately qualified and experienced legal practitioner was engaged by Council in developing the lease agreement**, etc etc?"

Your response Mayor was, "*The Mayor has confirmed that in her view the issues which you have raised have been previously answered and she has nothing further to add regarding your questions.*"

These two questions had never been asked before and the answer is quite simple as to whether or not the then Deputy Mayor and some or all alderman at the time were advised as to the absence of legal advice relating to the Providore Place head lease agreement before Council approved its signing; and considering the Mayor has expressed the view that both these questions "*have previously been answered*" **will Mayor Rockliff substantiate her statement by indicating precisely where each of these questions have "previously been answered"**?

Response

The Mayor advised you have previously asked if we were aware at the time and my response again, is that it was a part of the agenda at the time and I can't take responsibility for whether all of the other Aldermen actually read their agenda, but I certainly did.

Q2. Has the current Tasmanian Chip Company operator in Providore Place just closed for the winter or is it now the second operator to cease trading in around 8 months since first opening in October 2018?

Response

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

PETER MILLER – 4 GILBERT STREET, FORTH

Q1 I've got a question re the Mersey Maternity Hospital. May I ask when will the Devonport City Council pay for the complete removal of the building waste, bricks and concrete that Council allowed to be dumped, illegally, within a watercourse previously entering the Forth River? As a ratepayer of the Central Coast Council this is an imposition on me and the Central Coast Council if it is not paid for.

Response

The General Manager advised that the site where the rubble from the former Mersey Maternity Hospital was delivered was in accordance with the contract with the demolition contractor. Under the contract it was up to the contractor to identify the site and to dispose of the material. Subsequent to that, it was identified that the site was not a licensed site and as a result of recent media reports the matter has now been formally dealt with through the Central Coast Council as a Planning Authority and the site is being remediated in accordance with conditions placed upon that landowner.

Peter Miller

Why can't you chase Mendelsohn who demolished the hospital? Aren't they responsible for this?

Response

The General Manager advised that the landowner is responsible. The landowner accepted the rubble through that process so therefore it is the landowner's responsibility.

TREVOR SMITH – 7 GLEN COURT, DEVONPORT

Q3 What was the cost to Devonport Ratepayers, to rehabilitate and stabilise the foreshore, from erosion, at Don Heads, recently? If these works can be done, why not fix the erosion problem at the former clay target area of Coles Beach?

Response

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

MALCOLM GARDAM – 4 BEAUMONT CRESCENT, DEVONPORT

Q3. Page 18 of the March 2019 Ordinary Meeting Minutes recorded "*The Closed Session of Council having met and dealt with its business resolved to report that it had determined the following:*" which included;

8.4	Providore Place	Authorised the Mayor to make any announcement necessary as a result of the Council decision at the appropriate time.
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Considering the Mayor was granted absolute authority to make any Providore Place announcement necessary three months ago **will the Mayor detail what guiding principles she will apply in determining when it is “necessary” and the “appropriate time” and we can expect the Mayor to make an announcement in regards to the Council’s decision?**

Response

The Mayor advised she would make announcements when she considered it the appropriate time.

3.3 QUESTIONS FROM COUNCILLORS

Nil

3.4 NOTICES OF MOTION

3.4.1 CRUISE SHIPS - DEVONPORT - NOTICE OF MOTION - CR L LAYCOCK (D581749)

109/19 RESOLUTION

MOVED: Cr Laycock

SECONDED: Cr Jarman

That Council work closely with TasPorts and the Australian Cruise Ship Association to investigate the potential of Devonport attracting the smaller “Expedition” cruise liners into the Devonport Port.

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

CARRIED UNANIMOUSLY

4.0 PLANNING AUTHORITY MATTERS

4.1 DRAFT LOCAL PROVISIONS SCHEDULE (D579959)

110/19 RESOLUTION

MOVED: Cr Jarman

SECONDED: Cr Hollister

That Council in its role as a Planning Authority:

- determine that it is satisfied that the draft Local Provisions Schedule meets the local provisions schedule criteria set out under section 34(2) of the *Land Use Planning and Approvals Act 1993*; and
- approve the draft Local Provisions Schedule and supporting documentation for submission to the Tasmanian Planning Commission in accordance with section 35(1) of the *Land Use Planning and Approvals Act 1993*.

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

CARRIED UNANIMOUSLY

5.0 REPORTS

5.1 RATES AND CHARGES POLICY (D578833)**111/19 RESOLUTION**

MOVED: Cr Hollister
 SECONDED: Cr Jarman

That Council adopt the Rates and Charges Policy with immediate effect.

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

CARRIED UNANIMOUSLY

5.2 ANNUAL PLAN AND BUDGET ESTIMATES (D578852)**112/19 RESOLUTION**

MOVED: Cr Laycock
 SECONDED: Cr Jarman

A. ANNUAL PLAN

That in accordance with Section 71 of the *Local Government Act 1993* (as amended) Council adopts the Annual Plan for the financial year ending 30 June 2020 and instructs the General Manager to:

- (a) make a copy of it available for public inspection at the Council's Offices and on the website; and
- (b) provide a copy of it to the Director of Local Government and to the Director of Public Health.

B. ANNUAL ESTIMATES (REVENUE AND EXPENDITURE)

That:

- (a) in accordance with Section 82 of the *Local Government Act 1993* the Council by absolute majority adopts the estimates of revenue and expenditure (excluding estimated capital works) for the 2019/20 financial year as detailed in the Annual Plan;
- (b) in accordance with section 82(6) of the Act the Council, by absolute majority, authorises the General Manager to make minor adjustments up to \$50,000 to any individual estimate item (including capital works) as he deems necessary during the 2019/20 financial year provided that the total of the Estimates remains unaltered.

C. RATES AND CHARGES 2019/20

That Council makes the following General Rate, Service Rates and Service Charges under the provisions of the *Local Government Act 1993*, and the *Fire Services Act 1979* for the financial year 1 July 2019 to 30 June 2020 in respect to land in the municipal area which is separately valued under the *Valuation of Land Act 2001*.

Definitions and Interpretations

Unless the context otherwise requires, in the following resolutions, words and expressions defined in the *Local Government Act 1993* have the same meaning as they have in that Act.

Unless the context otherwise requires, in the following resolutions, the following words and expressions have the meaning set out below:

“Act” means the *Local Government Act 1993*;

“AAV” means the assessed annual value as determined by the Valuer-General under the *Valuation of Land Act 2001*;

“land” means a parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*;

“land used for primary production” means all land used or predominantly used for primary production and includes all land coded “L” in the valuation list;

“land used for residential purposes” means all land used or predominately used for residential purposes and includes all land coded “R” in the valuation list;

“municipal area” means the municipal area of Devonport;

“non-used land” means all land coded “V” in the valuation list;

“supplementary valuation” means a supplementary valuation made under the *Valuation of Lands Act 2001*.

“tenancy” means a portion of land which the Valuer-General has determined is capable of separate occupation and so has separately determined the AAV of that portion, pursuant to Section 11(3)(c) of the *Valuation of Land Act 2001*; and

“valuation list” means, in respect of the financial year, the valuation list, supplementary valuation list or particulars provided to the Council by the Valuer-General under Section 45 of the *Valuation of Land Act 2001*.

1. RATES RESOLUTION- PART 1 (A)

Pursuant Sections 90 and 91 of the *Local Government Act 1993* the Council makes a General Rate (“the General Rate”) in respect of all rateable land (except land which is exempt pursuant to Section 87 of the *Local Government Act 1993*) consisting of two components being:

(a) 11.0935 cents in the dollar of assessed annual value (the AAV component);

(b) A fixed charge of \$300 on all land or tenancy.

2. RATES RESOLUTION – PART 1(B)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for primary production to 7.0320 cents in the dollar of assessed annual value of such rateable land.

3. RATES RESOLUTION – PART 1(C)

Pursuant to Section 107 of the *Local Government Act 1993*, the Council by absolute majority hereby varies the AAV component of the General Rate (as previously made) for land within the municipal area which is used or predominantly used for residential purposes to

7.0320 cents in the dollar of assessed annual value of such rateable land.

4. RATES RESOLUTION – PART 2

4.1 Pursuant to Section 94 of the *Local Government Act 1993*, the Council makes the following service rates and service charges for land within the municipal area (including land which is otherwise exempt from rates pursuant to Section 87, but excluding land owned by the Crown to which Council does not supply any of the following services) for the period 1 July 2019 to 30 June 2020:

(a) a waste management service charge of \$270 upon all land or tenancy to which Council supplies or makes available a kerbside collection service

4.2 Pursuant to Section 107 of the Act the Council, by absolute majority declares that the service charge for waste management is varied by reference to the use or predominant use of land as follows:

(a) for all land which is predominately used for any purpose other than residential or primary production to which Council supplies and makes available a kerbside collection service the service charge is varied to \$810, subject to 4.3 below; and

(b) for all land which is non-used land the service charge is varied to \$0.00

4.3 Pursuant to Section 88A of the Act the Council by absolute majority determines:

(a) that the maximum percentage increase of the varied service charge for waste management (as previously made and varied by 4.1 and 4.2 above) is capped at 25% above the amount which was payable in respect of the waste management rate charged in the 2018/2019 financial year and;

(b) to qualify for the maximum increase cap in subparagraph (a), the rateable land must not have been subjected to a supplementary valuation issued by the Valuer-General during the period from 1 July 2018 to 30 June 2019.

5. RATES RESOLUTION – PART 3

Pursuant to Section 93A of the *Local Government Act 1993* and the provisions of the *Fire Service Act 1979* (as amended), the Council makes the following rates for land within the municipal area for the period 1 July 2019 to 30 June 2020:

(a) a Devonport Urban Fire District Rate of 1.4093 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the Devonport Urban Fire District.

(b) a Forth/Leith Fire District Rate of 0.4378 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within Forth/Leith Fire District.

- (c) a General Land Fire Rate of 0.3624 cents in the dollar of assessed annual value, subject to a minimum amount of \$41 in respect of all rateable land within the municipal area, which is not within the Devonport Urban Fire District, or the Forth/Leith Fire District.

6. SEPARATE LAND

In relation to all rates and charges for the 2019/20 year, as previously made, for the purpose of these resolutions the rates and charges shall apply to each parcel of land which is shown as being separately valued in the valuation list prepared under the *Valuation of Land Act 2001*.

7. ADJUSTED VALUES

For the purposes of each of these resolutions any reference to assessed annual value includes a reference to that value as adjusted pursuant to Sections 89 and 89A of the *Local Government Act 1993*.

8. PAYMENT OF RATES AND CHARGES

Pursuant to Section 124 of the *Local Government Act 1993* the rates for 2019/20 shall be payable in four instalments, the dates by which the rates are due to be paid are:

First Instalment	31 August 2019
Second Instalment	31 October 2019
Third Instalment	28 February 2020
Fourth Instalment	30 April 2020

Where a ratepayer fails to pay any instalment within 21 days from the date on which it is due, the ratepayer must pay the full amount owing.

Penalties

Pursuant to Section 128 of the *Local Government Act 1993* if any rate or instalment is not paid on or before the date it falls due, a penalty of 5% of the unpaid instalment or part thereof, shall be applied except:

- (a) where the ratepayer has adhered to an approved payment arrangement plan and the total rates are paid in full by 30 April 2020; and
- (b) where the ratepayer has authorised an approved bank direct debit payment arrangement.

Supplementary Rates

- (a) Pursuant with Sections 89A, 92 and 109N of the *Local Government Act 1993* if a supplementary valuation is made of any land prior to 30 June 2020, the General Manager may at his discretion adjust the amount payable in respect of any or all rates for that land for that financial year in line with the new valuation; and
- (b) If a rates notice is issued by the General Manager under sub-clause (a), the amount shown as payable on that notice is due

to be paid within 30 days of the date on which that notice is issued.

D. CAPITAL WORKS PROGRAM

That Council:

- (a) pursuant to Section 82 of the *Local Government Act 1993* adopts the Capital Works Program for the 2019/20 financial year as detailed in the Annual Plan
- (b) notes the draft Capital Works programs proposed for financial years 2020/21, 2021/22, 2022/23 and 2023/24 as detailed in the Annual Plan, which remain subject to change depending on other priorities being identified and financial resources which may be available at the time.

E. FEES AND CHARGES

That in accordance with Section 205 of the *Local Government Act 1993* Council adopts the Fees and Charges Schedule for the 2019/20 financial year as detailed in the Annual Plan.

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

CARRIED UNANIMOUSLY

5.3 FINANCIAL MANAGEMENT STRATEGY 2020-2029 (D583874)

113/19 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Milbourne

That Council adopt the Financial Management Strategy with immediate effect.

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

CARRIED UNANIMOUSLY

5.4 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - ANNUAL GENERAL MEETING AND GENERAL MEETING - 3 JULY 2019 (D583216)

114/19 RESOLUTION

MOVED: Cr Jarman
SECONDED: Cr Laycock

That the agendas for the Local Government Association of Tasmania Annual General Meeting and General Meeting to be held on 3 July 2019 be received and noted.

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

CARRIED UNANIMOUSLY

5.5 KELCEY TIER DRAFT MASTER PLAN (D583715)

115/19 RESOLUTION

MOVED: Cr Hollister
 SECONDED: Cr Milbourne

That the report relating to the Kelcey Tier Draft Master Plan be received and noted and Council adopt the Master Plan with the following changes:

- Provide clarification in Appendix B of the report that the costing is for the physical infrastructure only;
- Amend Cultural Value Action CVA1 to be a high priority (from medium priority);
- Replace the picture on the front page to a more generic view of the Kelcey Tier;
- Amend reference from Kelcey Tier Mountain Bike Club to Mersey Valley Devonport Cycling Club;
- Include in the introduction of Section 4.1 (Recreation Values Management) that given the site is highly constrained, in terms of recreation values, the Kelcey Tier is considered to be a local recreation reserve only, utilised predominantly by the local community, not as a State or National mountain biking destination. Identifying the Kelcey Tier as a State or National mountain biking destination would create unsustainable pressure on the Kelcey Tier and the association infrastructure required;
- Incorporate reference to all user groups under RV A4 (Action: Design and implement a signage strategy that incorporates interpretation and trail maps);
- Remove recommendation for viewing structure from Master Plan; and
- Incorporate the consideration of washdown facilities along Tugrah Road and the proposed car park off Durkins Road; taking into account the amenity of nearby residents, access to water, water pressure and water management.

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

CARRIED

5.6 DEVONPORT MEN'S SHED - PARTNERSHIP AGREEMENT (D583716)**116/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Murphy

That Council, in relation to the Devonport Men's Shed Inc., receive and note the report and authorise the General Manager to finalise a new partnership agreement for a further period of three years.

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

CARRIED UNANIMOUSLY

6.0 INFORMATION**6.1 WORKSHOPS AND BRIEFING SESSIONS HELD SINCE THE LAST COUNCIL MEETING (D561336)****117/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Laycock

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

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

CARRIED UNANIMOUSLY

6.2 MAYOR'S MONTHLY REPORT (D563533)**118/19 RESOLUTION**

MOVED: Cr Jarman

SECONDED: Cr Ennis

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

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

CARRIED UNANIMOUSLY

6.3 GENERAL MANAGER'S REPORT - JUNE 2019 (D561414)**119/19 RESOLUTION**

MOVED: Cr Hollister
 SECONDED: Cr Laycock

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

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

CARRIED UNANIMOUSLY

6.4 UNCONFIRMED MINUTES - CRADLE COAST AUTHORITY REPRESENTATIVES MEETING - 23 MAY 2019 (D583182)**120/19 RESOLUTION**

MOVED: Cr Hollister
 SECONDED: Cr Murphy

That the unconfirmed minutes of the Cradle Coast Authority Representatives meeting which was held on 23 May 2019 be received and noted.

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

CARRIED UNANIMOUSLY

6.5 COUNCILLOR CONFERENCE ATTENDANCE REPORT (D583726)**121/19 RESOLUTION**

MOVED: Cr Laycock
 SECONDED: Cr Jarman

That the report from Cr Laycock relating to her attendance at the ALGWA Conference held in Blacktown, New South Wales be received and noted.

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

CARRIED UNANIMOUSLY

7.0 SECTION 23 COMMITTEES**7.1 PLANNING AUTHORITY COMMITTEE MEETING - 3 JUNE 2019 (D582767)****122/19 RESOLUTION**

MOVED: Cr Jarman
 SECONDED: Cr Milbourne

That the minutes of the Planning Authority Committee meeting held on Monday, 3 June 2019 be received and the recommendations determined be noted.

PAC 09/19 Planning Applications approved under Delegated Authority 1 May 2019 - 21 May 2019

(Approved under delegated authority)

PAC 10/19 PA2019.0061 Subdivision (4 lots) - 12 Clare Court Devonport

(Approved under delegated authority)

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

CARRIED UNANIMOUSLY

7.2 INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE MEETING - 17 JUNE 2019 (D585756)

123/19 RESOLUTION

MOVED: Cr Hollister

SECONDED: Cr Alexiou

That the minutes of the Infrastructure Works and Development Committee meeting held on Monday, 17 June 2019 be received and the recommendations contained therein be adopted.

IWC 21/19 Tender Report Contract 1331 Security Patrol & Associated Services

IWC 22/19 Tender Report - Mersey Vale Memorial Park - Children's Memorial Pavilion

IWC 23/19 Cemetery Strategy - Year Eight Status

IWC 24/19 CBD Stormwater Catchments Risk Assessment

IWC 25/19 Development and Health Services Report

IWC 26/19 Infrastructure and Works Report

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

CARRIED UNANIMOUSLY

EFFECTIVE DECISIONS OF THE INFRASTRUCTURE WORKS AND DEVELOPMENT COMMITTEE CONFIRMED BY COUNCIL

IWC 21/19 Tender Report Contract 1331 Security Patrol & Associated Services

That Council in relation to Contract 1331 Security Patrol and Associated Services, Council:

- a) award the contract for Security Patrol to JRB Protection for the schedule of rates estimated sum of \$33,587 per annum (ex GST); and
- b) award the contract for Multi-Level Carpark CCTV & Intercom Monitoring to Wilson Security Pty Ltd for the schedule of rates estimated sum of \$6,240 per annum (ex GST).

IWC 22/19 Tender Report - Mersey Vale Memorial Park - Children's Memorial Pavilion

That Contract CP0143, Children's Memorial Pavilion be:

- a) awarded to Vos Construction & Joinery for the revised tendered sum of \$180,873 (ex GST);
- b) note that access path for the project is estimated at \$3,500 (ex GST);
- c) note that design/project administration costs for the project are estimated at \$15,000 (ex GST);
- d) note a contingency allowance of \$5,000 (ex GST); and
- f) note that the additional budget allocation required to complete this project has been included in the draft 2019/20 capital works budget.

IWC 23/19 Cemetery Strategy - Year Eight Status

That the report of the Infrastructure and Works Manager be received and Council note the status of actions listed in the Devonport City Council Cemetery Strategy.

IWC 24/19 CBD Stormwater Catchments Risk Assessment

That the report of the Infrastructure and Works Manager regarding the CBD stormwater catchments be noted and that the recommended improvements be considered as part of future budget deliberations.

IWC 25/19 Development and Health Services Report

That the Development and Health Services Report be received and noted.

IWC 26/19 Infrastructure and Works Report

That the Infrastructure and Works report be received and noted.

8.0 CLOSED SESSION

124/19 RESOLUTION

MOVED: Cr Laycock
SECONDED: Cr Milbourne

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

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Confirmation of Closed Minutes - Council Meeting - 27 May 2019	15(2)(g)
8.2	Application for Leave of Absence	15(2)(h)
8.3	Unconfirmed Minutes – Joint Authorities	15(2)(g)
8.4	92 Formby Road, Devonport – Offer to Lease	15(2)(f)
8.5	92 Formby Road, Devonport – Sale Options	15(2)(f)
8.6	General Manager's Performance Review 2019	15(2)(a)

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

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 6:35pm to reconvene in Closed Session at 6:38pm.

The Council moved out Closed Session at 7:20pm.

Council resumed in open session at 7:20pm.

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 - 27 May 2019	Confirmed
8.2	Application for Leave of Absence	Noted
8.3	Unconfirmed Minutes – Joint Authorities	Noted
8.4	92 Formby Road, Devonport – Offer to Lease	Offer declined
8.5	92 Formby Road, Devonport – Sale Options	Sale method to be discussed with Real Estate Agent
8.6	General Manager's Performance Review 2019	Finalised

CLOSURE

There being no further business on the agenda the Mayor declared the meeting closed at 7:20pm.

Confirmed

Chairman