

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 2 October 2017 at 3.00 p.m.**



Present: Commissioner Sue Smith (Chair)

In attendance: Mr. S. Scott (Acting General Manager), Mr. D. Ronaldson (Acting Director, Community, Economic Development and Business), Mr. P. Garnsey (Acting Director, City Services and Infrastructure), Ms. C. Higgins (Acting Director, Corporate Governance), Mr. B. Hannan (Acting Manager, Governance and Risk), Mr. R. Grierson (Manager, Infrastructure, Engineering and Design), Mr. C. French (Chief Financial Officer), Ms. C. Docking (Communications and Marketing Advisor) and Mrs. J. King (Mayoral and Executive Support Officer).

The Chair began the meeting by giving an Acknowledgement of Country, paying respect to the Tasmanian Aboriginal Community.

The Chair read then the following two (2) statements:

Statement 1

In relation to the Audio Recording of the Council Meeting under Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's 'Audio Recording Council Meetings' Policy.

Statement 2

In relation to Work Health and Safety at the Council Meeting.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That the minutes of the Council Meeting held on Monday, 4 September 2017 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

The Acting General Manager, Tony McMullen, is on annual leave for two weeks. Mr. Simon Scott has been appointed as Acting General Manager in Mr. McMullen's place, until 12 October 2017.

4. PECUNIARY INTEREST NOTIFICATION

None.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr. Ron Desmond, 171 Tolosa Street, Glenorchy

Q. Council currently uses recording devices for barking dogs. When will Council be getting Cameras for cats?

As I noted at the meeting, Council does not currently have any obligations under the *Cat Management Act 2009 (the Act)* to control cats in the municipality. The Act is administered by the State Government Department of Primary Industries, Water and Environment.

There are changes proposed to cat management legislation in Tasmania, but it is not currently known when these will be enacted and what obligations they will place on Councils with regard to cat management.

As such, I confirm that Council does not currently have any plans to start using cameras to record cat movements. If, due to a change in legislation, Council is required to capture recordings of cat movements in the future, Council will, of course, comply with its obligations.

In the meantime, if you capture any cats on your property, you should treat them humanely and take them to the Ten Lives Cat Centre which is located at 12 Selfs Point Road, New Town.

Mr. George Burrows, 650 Main Road, Granton

Q. In relation to the extension of the painted cycle lanes through Austins Ferry and Claremont, Mr. Burrows understands that these lines are going to be extended, but asked why the cycleway is not positioned between the footpath and parked cars, rather than on the road side of parked cars as it currently is? The biggest danger to cyclists is from being car doored. Because all cars have drivers but many don't have passengers, Mr. Burrows was of the view that placing the cycleway on the inside close to the footpath would reduce the chances of car door accidents.

I have sought advice from Council's traffic engineer who has advised that Council made the decision to place the cycle lanes on the drivers' side of parking spaces for safety reasons.

Those reasons are as follows:

1. If the cycle lane were placed on the passengers' side of the parking spaces, cyclists would have nowhere to go to avoid a collision in the event that a passenger car door was unexpectedly opened. That is because the cycle lane would be between the kerb and parked cars. With the cycle lane positioned on the drivers (road) side of the parked car, cyclists have the space to turn into the roadway to avoid a collision with an open car door.
2. It is acceptable in certain circumstances to position the cycle lane on the passenger side of vehicles, however to avoid the space constraint issue described in point 1 (above) a 50 cm buffer is required between the edge of the cycle lane and the kerb. The width of the roadways in Austins Ferry and Claremont do not permit that buffer, so it is not possible to place the cycle lanes in the locations you describe.
3. Main Road in Austins Ferry and Claremont is directly accessed by large numbers of private driveways. Placing a cycle lane between the driveway exit and the parking spaces would create confusion for drivers entering and exiting driveways with regard to right of way, and would lead to a greater risk of collisions.

I have also confirmed (as I noted at the meeting) that the design and placement of the cycle lanes complies with the design guidelines set out in the Austroads Guides, which set the agreed guidelines for the design, construction, maintenance and operation of the road network in Australia and New Zealand.

6. PUBLIC QUESTION TIME (15 MINUTES)

Mr. Rod Marshall representing the Montrose Bay Yacht Club and Risdon Brook Radio Yacht Club

Mr. Marshall commented on the requirement for work on the Montrose Bay Pontoon to be completed in time for the Montrose Bay Yacht Club to host the Australian Radio Yachting Association National Championships in February 2017. In relation to that issue, Mr. Marshall asked the following question:

Q. Can Council work with the Montrose Bay Yacht Club to ensure that the nationals go ahead?

The Commissioner noted that there is a late agenda item on today's agenda in relation to the Montrose Bay Pontoon and the associated works.

The Commissioner advised Mr. Marshall that that representatives from organisers of the Australian Radio Yachting Association National Championships met with her in April this year, and were advised that everything would be in place in time for the event in February 2018. However, since that meeting, two (2) issues have arisen:

- the tendered price for the pontoon works exceeded Council's original estimates; and
- there was a possibility that the works would not be complete in time to host the championships in February 2018.

The Commissioner was pleased to advise that Council staff have worked very hard during the past week to get a resolution, which is to be considered later in the Council meeting. The Commissioner commented on how pleasing it was that the Montrose Bay Yacht Club is now the second organisation that has made an offer to work with Council to ensure that this important event goes ahead.

7. PETITIONS/DEPUTATIONS

None.

GOVERNANCE

8. COUNCIL POLICY: UPDATED MODEL PUBLIC INTEREST DISCLOSURES ACT PROCEDURES

File Reference: Council Policy

Reporting Brief:

To seek Council's adoption of the revised Public Interest Disclosures (**PID**) Procedures (**Model PID Procedures Manual**) and the rescission of the current PID Procedures.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council resolves to:

1. NOTE that the 'Draft Model PID Procedures Manual' was approved by the Tasmanian Ombudsman, and
2. ADOPT the 'Model PID Procedures Manual', in the form of Attachment 2, to establish a system for reporting disclosures of improper conduct or detrimental action by Glenorchy City Council or members, officers or employees of the public body, as required under the relevant legislation.

9. RISK MANAGEMENT DIRECTIVE AND POLICY

File Reference: Risk Management

Reporting Brief:

This report:

1. briefs Council on the Council's updated Risk Management Directive which was recently endorsed by Council's Audit Panel, and
2. provides an update to Council on work being undertaken in the risk management area.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. RECEIVE and NOTE Council's Risk Management Directive, as approved by the Acting General Manager, and
2. ADOPT the Risk Management Policy in the form of Attachment 2.

10. DELEGATION OF POWERS - ENVIRONMENTAL AMENITY BY-LAW 2017

File Reference: Delegations

Reporting Brief:

The purpose of this report is to recommend that Council delegates its powers under Council's recently enacted *Environmental Amenity By Law 2017 (No. 1 of 2017)* to the General Manager in accordance with section 22 of the *Local Government Act 1993*.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. DELEGATE all of Council's functions powers under *Glenorchy City Council Environmental Amenity By-Law 2017 (the By-Law)* to the General Manager, and
2. AUTHORISE the General Manager to further delegate the functions and powers of Council under By-Law.

11. PROCUREMENT EXEMPTIONS

File Reference: Procurement

Reporting Brief:

This report provides a monthly update to Council on exemptions that have been applied to the procurement requirements under Council's *Code for Tenders and Contracts*.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period 8 August 2017 to 22 September 2017.

12. ACTIONS LIST (OPEN COUNCIL MEETING): UPDATE REPORT

File Reference: Actions List - Council Meetings

Reporting Brief:

To provide Council with the Actions List (Open Council Meeting), updated following the Council meeting on 4 September 2017.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. RESCIND Council's motion of 13 April 2016 (Item 10)
2. REMOVE Item 10 (dated 13 April 2017) from the Actions List (Open Council Meeting), and
3. NOTE the progress of the items on the Actions List (Open Council Meeting), as updated following the 4 September 2017 Council meeting.

The following item was not on the Agenda for the meeting, and was considered by Council under regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

ENVIRONMENT

13. MONTROSE BAY PONTOON

File Reference: Montrose Bay Pontoon

Reporting Brief:

This report provides the current status of a new pontoon installation at Montrose Bay and options to fund the current budget shortfall.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. NOTE the information in the report and proposal tabled by Risdon Brook Radio Yacht Club and Montrose Bay Yacht Club
2. AUTHORISE the construction of a temporary pontoon, or other appropriate facility, in Montrose Bay up to the budget amount of \$180,000 to facilitate the staging of the Australian Radio Yachting Association (ARYA) National Championships between 12 and 24 February 2018
3. AUTHORISE Council officers to continue to explore permanent options for a new pontoon, including revising the tender documents or applying to Council for approval of additional funds beyond the 2017/2018 budgeted amount, with a view to completing a permanent solution within 12 months, maximum, and
4. RESOLVE that Council officers are to liaise closely with the user groups.

14. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE

The Acting General Manager introduced Ms. Carolyn Docking, Council's new Communications and Marketing Advisor to Council. Ms. Docking gave a brief summary of her background and experience.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That the meeting be closed to the public to allow discussion of matters that are described in Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

CLOSED TO MEMBERS OF THE PUBLIC

15. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

16. GLENORCHY CITY COUNCIL ACCOMMODATION STRATEGY

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposed to conduct, business), 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret) and 15(2)(f) (Proposals for the Council to acquire land or an interest in land for the disposal of land).

17. ACTIONS LIST (CLOSED COUNCIL MEETING): UPDATE REPORT

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

The following item was not on the Agenda for the meeting, and was considered by Council under regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*.

ENVIRONMENT

18. MONTROSE BAY PONTOON

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposed to conduct, business) and (15(2)(d) Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.

19. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)

The meeting closed at 4.47 p.m.

Confirmed,

CHAIR