

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 9 May 2016 at 3.01 p.m.**



Present: Aldermen K. Johnston (Mayor), H. Quick (Deputy Mayor), J. Branch-Allen, J. Dunsby, S. King, H. Nielsen, D. Pearce, S.E. Slade and M. Stevenson.

In attendance: Ms. S. Iskandarli (Acting General Manager), Mr. E. Reale (Director City Services and Infrastructure), Mr. T. McMullen (Acting Director Community, Economic Development and Business), Ms. K. Hudson (Manager Legal and Property), Mr. S. Scott (Manager Governance and Risk), Ms. D. Berry (Manager People and Safety), Mr. C. French (Manager Business and Finance), Mr. D. Ronaldson (Manager Community and Customer Service), Mr. P. Garnsey (Manager Environment and Development), Mr. R. Grierson (Manager Infrastructure, Engineering and Design), Mr. S. Mohamed (Manager Waste Services), Ms. K. Williams (Coordinator Planning Services), Ms. L. Byrne (Strategic Planner), Ms. K. Whitbread (Child Care Delivery Coordinator), Mr. A. Woodward (Coordinator Environmental Health), Mr. F. Chen (Hydraulics Engineer), Mr. M. Whiteley (Finance Project Officer), Mr. E. Brown (Waste Services Coordinator) and Mrs. J. King (Mayoral and Executive Support Officer).

Mr. Brenton West (STCA) for Item 18.

**Workshops held since
last Council Meeting**

Date: Tuesday, 26 April 2016

Purpose: To discuss:

- Update on Strategic Plan Strategies and Measures
- Draft 2016-2017 Annual Plan Discussions and Operational Budgets

- Youth Skate Park Discussions

Date: Monday, 2 May 2016

Purpose: To discuss:

- STCA – Regional Waste
- Anglicare – Social Affects of Poker Machines

The meeting was opened with a prayer by Rev. Christine Campton.

1. APOLOGIES

Alderman C. Lucas and General Manager Mr. P. Brooks.

2. CONFIRMATION OF MINUTES

Resolution:

PEARCE/SLADE

That the minutes of the Council Meeting held on Wednesday, 13 April 2016 be confirmed.

The Mayor suggested a typographical amendment, that the word “identity” at page 18 be replaced with the word “identify”.

STEVENSON/DUNSBY

Amending Item 19 that Alderman Stevenson voted against the decision.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

That the minutes as amended be put.

FOR: Aldermen Pearce, Branch-Allen, Slade, Quick, Nielsen, King and Stevenson.

AGAINST: Aldermen Dunsby and Johnston.

The motion was CARRIED.

STEVENSON/DUNSBY

That Item 19 be moved into Open Council.

After the debate Alderman Nielsen moved a procedural motion under Regulation 20(1).

NEILSEN/KING

The motion be now put.

FOR: Aldermen Pearce, Branch-Allen, Slade, Quick, Nielsen, King and Stevenson.

AGAINST: Aldermen Dunsby and Johnston.

The motion was CARRIED.

The original motion was put.

FOR: Aldermen Dunsby, Johnston and Stevenson.

AGAINST: Aldermen Pearce, Branch-Allen, Slade, Quick, Nielsen and King.

The motion was LOST.

3. ANNOUNCEMENTS BY THE CHAIR

- The Chair acknowledged the contribution to our community by Mrs. Adriana Taylor, outgoing incumbent in the seat of Elwick.
- The Chair acknowledged and congratulated Mr. Josh Willie as the new incumbent in the seat of Elwick.

- The Chair advised that it is Volunteers Week and that a reception is being held to recognise all volunteers within our community this Wednesday evening, 11 May 2016.
- The Chair noted that Crime Stoppers Week commenced 9 to 15 May 2016.
- Community Budget Forum is to be held on Thursday, 19 May 2016 at 6.30 p.m. at the Moonah Arts Centre.

4. PECUNIARY INTEREST NOTIFICATION

The Chairperson asked if any Aldermen had or were likely to have a pecuniary interest in any items on the Agenda.

There were no pecuniary interests declared by the Aldermen.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

6. PUBLIC QUESTION TIME (15 MINUTES)

Mr. Burrows - Granton

Why is the sound system not adequate?

Why is it never tested for adequacy before each meeting?

Why has hearing aid system not been introduced?

Why have Council not kept within its own policies of dealing with older people or people with disabilities, specifically those with hearing and sign disability or mobility?

Why is the image of the agenda on the screen showing the items on the agenda not large enough to be read with ease by members of the public?

Why on a regular basis are the front seats of the downstairs section completely occupied by Council staff, often for the majority of the meeting time, when their appearance could be signaled just prior to their need contribution? At the very least this is disrespectful of ratepayers and that the worst waste of ratepayer monies.

Why are staff contributing to the meeting not required to ever identify their names or position?

Why do staff rarely use the microphone?

Why is guest Wi-Fi password not displayed for citizens attending meetings?

Why are no toilet facilities provided to citizens attending meetings?

Why are drinks not supplied to citizens who are in attendance?

Why are GCC plated cars occupying so many parking spaces, one would have to question if an officer needs a vehicle for their duties, then it could well be expected that the vehicle is used on those duties more or less on a continuous basis?

Why are Citizens attending Council meeting no able to obtain some form of identification to leave in their car as many meetings do exceed 2 hours?

Why are Glenorchy Gazettes not delivered to all residences in the municipality?, a question was asked at a recent Council meeting about non delivery of Gazettes, as the Gazettes cost individual ratepayers approximately \$3 per year it should be of concern that no appropriate monitoring of delivery is undertaken.

What additional or alternative, possibly cheaper or more accessible alternatives have been considered?

Is publishing the gazette worth continuing?, please justify if no universal delivery.

Why has the policy of no citizen contribution to the gazette without the approval of the editor been adopted?

The editor is effectively being paid by the Council thus has not been prepared to accept any article critical of Council or Aldermen.

Will the Council allow a substantial space for uncensored citizen comment and debate (within the limits of liable)?

Mr. Burrows also commended Council on holding a community forum on the Budget which is on 19 May 2016 at 6.30 p.m.

Questions were taken on notice to be answered at the 6 June 2016 Council Meeting.

Mrs. Kaye Smith – Glenorchy

Asked the question if Council meetings times could be changed to allow other members of the public to be in able to attend – a later start time was suggested to accommodate parents with school children and working people.

The Chair noted that under the *Local Government (Meeting Procedures) Regulations 2015* Council is required to resolve the Council Meetings starting times if they are not at 5.00 p.m. After the Local Government Election Council in its Meeting in November 2014 resolved to have the times of the commencement of its Meetings at 3.00 p.m.

Mr. Martin Watkins – Claremont

Consideration of dog registration renewals to include ‘a reminder to owners to keep their dogs on leash unless in certain off-leash areas and to always pick up after their dogs’.

The Acting General Manager advised that Management will consider this request when Council will send the dog registrations renewals.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive the announcement of events by the Mayor.

Resolution:

QUICK/BRANCH-ALLEN

That Council:

1. RECEIVES the announcements about the activities of the Mayor's office for the period 8 April to 3 May 2016.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

GOVERNANCE

9. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

File Reference: Child Care Connections Policy

Reporting Brief:

This report is to seek Council's adoption of ten (10) revised Child Care Connections Policies and Procedures.

Resolution:

PEARCE/BRANCH-ALLEN

That Council:

1. ADOPTS the following Child Care Connections Policies and Procedures, as attached:
 - Animals in the Environment Policy and Procedure
 - Asthma Management in Children Policy and Procedure
 - Chemicals and the Storage of Dangerous Goods Policy and Procedure
 - Collaborative Partnerships with Families and Communities Policy and Procedure
 - Cultural Competence / Respect for Diversity Policy and Procedure

- Dealing with Complaints Policy and Procedure
- Dental Health Policy and Procedure
- Design, Building and Grounds Maintenance Policy and Procedure
- Educator Training and Professional Development Policy and Procedure
- Governance & Administration of Records Policy

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen and King.

AGAINST: Alderman Stevenson.

The motion was CARRIED.

10. CORPORATE PERFORMANCE INDICATORS - MARCH 2016

File Reference: Traffic Lights

Reporting Brief:

To present the Corporate Performance Indicators as at the end of March 2016 for Aldermen's information.

Resolution:

BRANCH-ALLEN/NIELSEN

That Council:

1. ACCEPTS the information provided by the Corporate Performance Indicators for March 2016.

Alderman Slade left the meeting at 4.03 p.m.

Alderman Slade returned to the meeting at 4.04 p.m.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

11. PROPOSED ENVIRONMENTAL AMENITY BY-LAW

File Reference: By-laws

Reporting Brief:

This report seeks Council's approval to initiate the statutory process required under Part 11 of the *Local Government Act 1993* for making the proposed Environmental Amenity By-law No. 1 of 2016.

Resolution:

PEARCE/QUICK

That Council:

- a) DECLARES its intention to make the Environmental Amenity By-law No. 1 2016 pursuant to s156 of the *Local Government Act 1993*; and
- b) APPROVES the initiation of the statutory process required under Part 11 of the *Local Government Act 1993* for making the proposed Environmental Amenity By-law No. 1 of 2016.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

12. COUNCIL FEEDBACK ON DRAFT PROVISIONS OF THE TASMANIAN PLANNING SCHEME

File Reference: Planning Scheme Review

Reporting Brief:

To seek Council's endorsement of feedback to the State Government on the draft State Planning Provisions for the Tasmanian Planning Scheme.

Resolution:

BRANCH-ALLEN/PEARCE

That Council:

1. ENDORSES the comments on the draft State Planning Provisions as presented to Council and APPROVES them to be forward to the Tasmanian Planning Commission.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

13. PROPOSED SCHEDULE OF FEES AND CHARGES (DOG REGISTRATION AND FOOD BUSINESS REGISTRATION)

File Reference: Fees and Charges

Reporting Brief:

This Report seeks Council approval for fees and charges for 2016/17 in respect of dog registration fees for the Public Compliance Section and food business registrations for the Environment Health Services Section.

Resolution:

QUICK/DUNSBY

That Council:

1. APPROVES the Dog Registration fees for 2016/17 be set in accordance with the following categories:

Category	Standard Fees (GST Exempt)	Penalty Fees (GST Exempt)
Non-Desexed Dog	\$78.00	\$114.00
Desexed Dog	\$34.00	\$114.00
Low Income (Pensioner's)	\$37.00	\$62.00
Working Dog	\$78.00	\$114.00
Special Assistance Dog	No Fee	No Fee

2. APPROVES the Food Business Registration fees for 2016/17 be set in accordance with the following categories:

CATEGORY	Amount 2016/17 (GST EXEMPT)
Cat A	\$1,410.00
Cat B	\$567.00
Cat C+ (multiple premises)	\$1,410.00
Cat C	\$378.00
Cat D	\$189.00
Cat E (school canteens / community organisations)	\$83.00

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

14. BY-ELECTION FOR THE GENERAL MANAGEMENT COMMITTEE OF LGAT

File Reference: Local Government Association of Tasmania

Reporting Brief:

This Report is to brief the Council about the by-election to the General Management Committee of the Local Government Association Tasmania (LGAT) and seek nominations from the Aldermen from Glenorchy City Council for this by-election.

Resolution:

SLADE/BRANCH-ALLEN

That Council:

- 1) Does not NOMINATE any Alderman to participate in a by-election to fill a casual vacancy for the General Management Committee of the Local Government Association of Tasmania.
- 2) Through the General Manager, ADVISES the Local Government Association of Tasmania of the Council's decision by 5.00 pm Wednesday 18 May 2016.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Slade, Nielsen, King and Stevenson.

AGAINST: Aldermen Dunsby, Quick and Johnston.

The motion was CARRIED.

15. ACTIONS LIST - UPDATE REPORT

File Reference: Actions Register - Council Meetings

Reporting Brief:

Actions List updated following 13 April 2016 Council meeting.

Resolution:

DUNSBY/BRANCH-ALLEN

That Council

1. NOTES the Actions Register, as updated following the 13 April 2016 Council meeting.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

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

Alderman Dunsby asked if Her Excellency the Governor has been invited to visit Glenorchy?

The Acting General Manager advised that she and the General Manager had approached Her Excellency the Governor at a function at the Moonah Arts Centre recently and asked whether the Governor would be happy to be invited to Glenorchy City and for the opening of either King George V Sports and Community Facility or Derwent Park Stormwater Harvesting and Industrial Reuse Project and visit our City at the same time. Her Excellency advised that she would be happy to attend the City and the opening of either or both of the Projects.

Mayor Johnston sought clarification on what capacity and authority she would be attending the TasWater Owners Representatives meeting on Thursday, 12 May 2016.

During the Council Meeting Alderman Branch-Allen moved a motion under Regulation 16(1).

BRANCH-ALLEN/NIELSEN

Give the Mayor authority to attend the TasWater Owners meeting on Thursday, 12 May 2016 and after listening to all relevant information the Mayor vote in the best interest of the community.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

SLADE/PEARCE

In accordance with Regulation 16 of *Local Government (Meeting Procedures) Regulations 2015*, Council requests the General Manager to write to Local Government Association of Tasmania and other 28 Councils in Tasmania on behalf of Council and informs them about the Councils' decision of 15 March 2016 and advises them that the information provided by the Mayor at the LGAT meeting on 22 April 2016 about the 15 March Council Resolution was incorrect.

BRANCH-ALLEN/QUICK

This item lay on the table in order to seek further information from the Local Government Association of Tasmania.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen and King.

AGAINST: Alderman Stevenson.

The motion was CARRIED.

16.1. QUESTION ON NOTICE 1 - ALDERMAN J. DUNSBY

File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Jan Dunsby submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Public gallery at Council meetings.

Members of the public have raised concerns at the inability to hear from the public gallery during council meetings. I am aware that this is planned to be addressed by the contractor providing services to record our Council meetings going forward. As another measure, could all staff members be requested to please state who they are and speak into a microphone for the benefit of the public gallery on both levels?

Some members of our community would also appreciate being able to sit in the front row for access purposes. Could staff seating be moved to the rear to accommodate this need?

Answer:

Both questions on notice are acknowledged.

- 1) The Management members will introduce themselves and speak to the microphone when answering the questions or making comments or providing qualified advice.
- 2) The Management has already put actions in place in order to accommodate the needs of the members of the public who attend the Council Meetings.

16.2. QUESTION ON NOTICE 1 - ALDERMAN K. JOHNSTON

File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Kristie Johnston submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Could the Director of Corporate Governance and General Counsel please advise Council if she has informed Council's insurance brokers and/or Council's insurer that she is named as an interested party in the current matter before the Supreme Court?

- a. If not, why not?
- b. If so, why is it appropriate that Aldermen are required to liaise with the insurer and/or broker through the Director of Corporate Governance and General Counsel?

Answer:

- a. This question has been answered in full at the Council Meeting on 13 April 2016.
- b. The Agreement for services is between the insurance company and Glenorchy City Council, and the insurance broker and Glenorchy City Council. The management of any Agreements is the role of the Management, not the Aldermen.

Accordingly, it is a requirement from the insurance broker that any communication between the Aldermen and the insurance broker must be through the Management. This requirement was reinforced by the insurance broker when the Mayor, without the Management's knowledge, called the insurance broker. The insurance broker has requested the Management that the third parties, namely the Aldermen, should adhere to the formal protocol of communication. As any insurance related matters are under the portfolio of the Director Corporate Governance & General Counsel, accordingly all communication and management of any insurance related matters are dealt with by or through the Director Corporate Governance & General Counsel.

16.3. QUESTION ON NOTICE 1 - ALDERMAN M. STEVENSON

File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

In relation to the 13th April 2016 Council meeting Question on Notice 17.2; discounting the General Managers refusal to detail the purpose of the emails due to a court case being live, it is still unclear why the emails referred to were sent to only two Alderman, not the entire council. May the reasoning for this only going to two Aldermen be provided?

Answer:

This question has been answered at the 13 April 2016 Council Meeting.

16.4. QUESTION ON NOTICE 2 - ALDERMAN M. STEVENSON

File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

As a supplementary question in relation to the 13th April 2016 Council meeting Question on Notice 17.4; can the General Manager please explain why he chooses to only send a response to the Alderman asking the question in some circumstances, and to all alderman in other circumstances?

Answer:

This question is not clearly articulated. Nevertheless, a similar question was asked at the Council Meeting on 13 April 2016 and an answer to that question was provided at that meeting in writing.

Resolution:

SLADE/DUNSBY

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*.

The motion was put.

FOR: Aldermen Pearce, Branch-Allen, Dunsby, Slade, Quick, Johnston, Nielsen, King and Stevenson.

AGAINST:

The motion was CARRIED.

Alderman Quick left the meeting at 5.17 p.m.

CLOSED TO MEMBERS OF THE PUBLIC

17. APPLICATIONS FOR LEAVE OF ABSENCE

None.

Alderman Quick returned to the meeting at 5.18 p.m.

Under Regulation 15(6)(c) the Chair invited Mr. Brenton West CEO of STCA to remain at the Meeting to provide advice or information in relation to Item 18, Southern Waste Strategy Authority.

ENVIRONMENT

16. SOUTHERN WASTE STRATEGY AUTHORITY

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.)

Mr. Brenton West CEO of STCA left the meeting at 5.25 p.m.

19. WASTE SERVICES FEES AND CHARGES

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.)

GOVERNANCE

20. CONFIRMED MINUTES OF AUDIT PANEL MEETING 24 FEBRUARY 2016

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.)

21. ACTIONS LIST - 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.)

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

None.

22.1. QUESTION ON NOTICE 2 - ALDERMAN J. DUNSBY

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.)

All staff except the Acting General Manager left the meeting at 5.47 p.m.

22.2. QUESTION ON NOTICE 2 - ALDERMAN K. JOHNSTON

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.)

22.3. QUESTION ON NOTICE 3 - ALDERMAN K. JOHNSTON

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.)

22.4. QUESTION ON NOTICE 3 - ALDERMAN M. STEVENSON

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.)

22.5. QUESTION ON NOTICE 4 - ALDERMAN M. STEVENSON

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.)

22.6. QUESTION ON NOTICE 5 - ALDERMAN M. STEVENSON

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 meeting closed at 6.15 p.m.

Confirmed,

CHAIR