

GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 15 FEBRUARY 2016



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COMMITTEE DETAIL SHEET

Committee Name:

Parking Strategy Working Group

Type of Committee:

Working/Steering Group

Council Officer / Key contact name/details

Name: Amir Mousavi
Phone: (03) 6216 6766
E-mail: amousavi@gcc.tas.gov.au

Purpose of Committee

Review the current Parking Strategy for the Glenorchy Municipal Area.

Extent of Delegated Authority

There is no delegated authority

Membership of Committee

Alderman David Pearce (Chairperson)
General Manager (Peter Brooks or nominee)
Manager Governance & Risk (Simon Scott)
Coordinator City Strategy and Economic Development (Vacant)
Coordinator Planning Services (Kylie Williams)
Transport Engineer (Amir Mousavi)
Development Engineer (Simon Johnson)
Chief Parking Officer (Aaron Jarvis)
Positive Ageing & Access Officer (Debbie Hindle)
Interested Business Community Stakeholders (TBA)

Council Representation

1 Alderman that will be the Chairperson of the Working Group

Term of Appointment

Based on Council's elected term and renewed after each election.

Office Bearers Required (And method of Appointment)

N/A

Quorum Requirements

Half of membership plus one

Circulation of Agenda and Minutes

Agenda will be circulated to all Group members and to any Sub-Group members as required and minutes will be available as required through 'Docs on Tap'.

Reporting Requirements (to Council)

As required

Frequency of Meetings

Initially to be advised and then monthly until strategies developed then annually to review progress.

Audit Requirements

N/A

Any other Requirements

N/A

Review of Terms of Reference

The Terms of Reference will be reviewed with the formation of each new Parking Strategy Working Group.

GLENORCHY
SWIMMING POOL

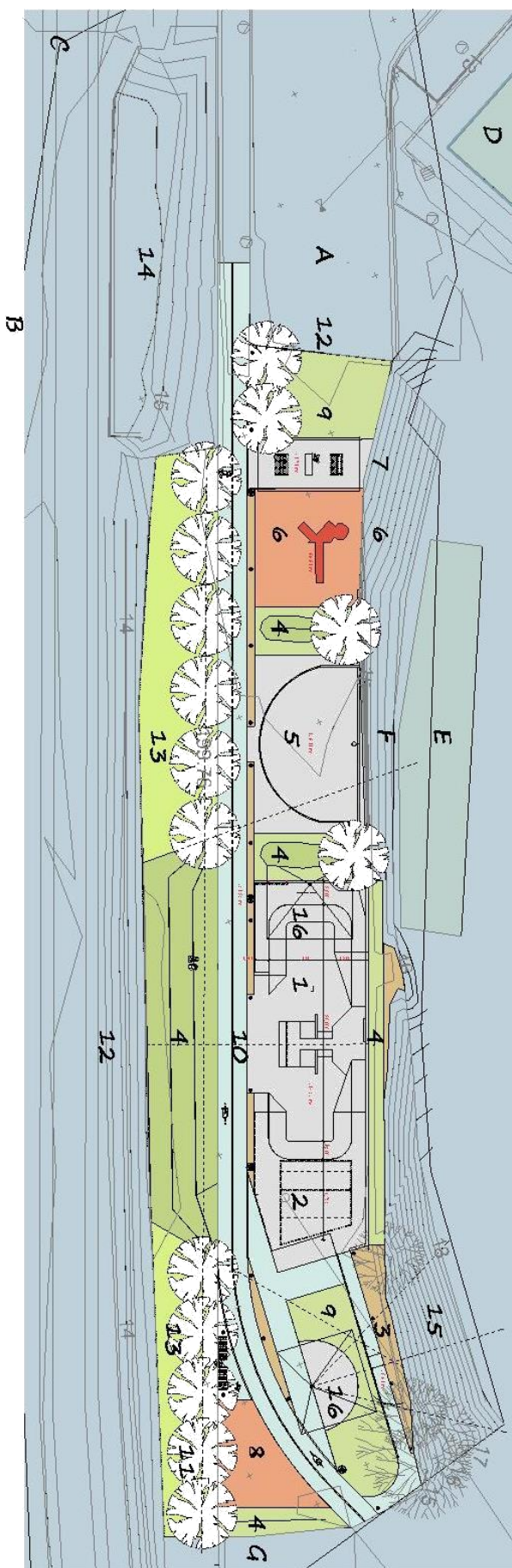
LOCATION PLAN

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KGV OVAL

LOCATION OF THE
PROPOSED
SKATE PARK

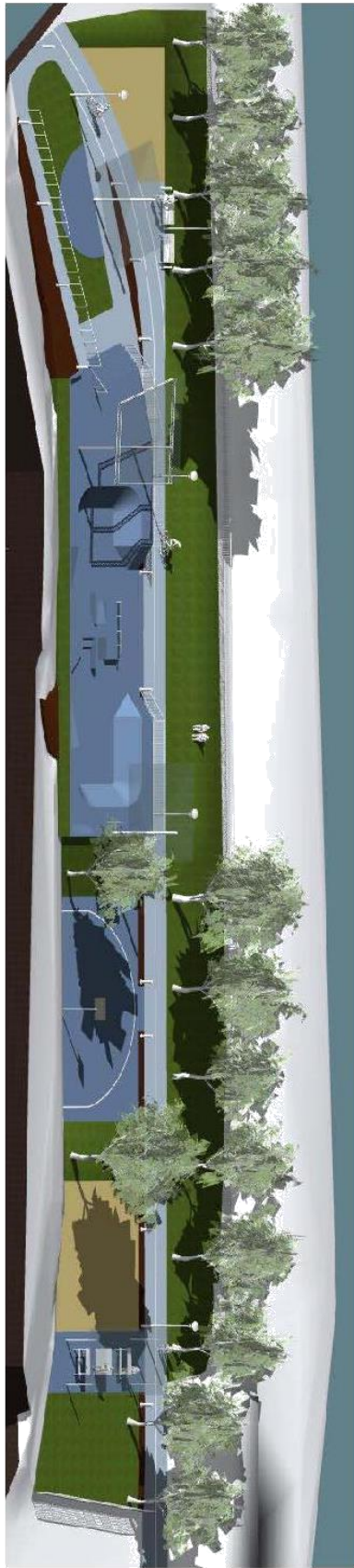


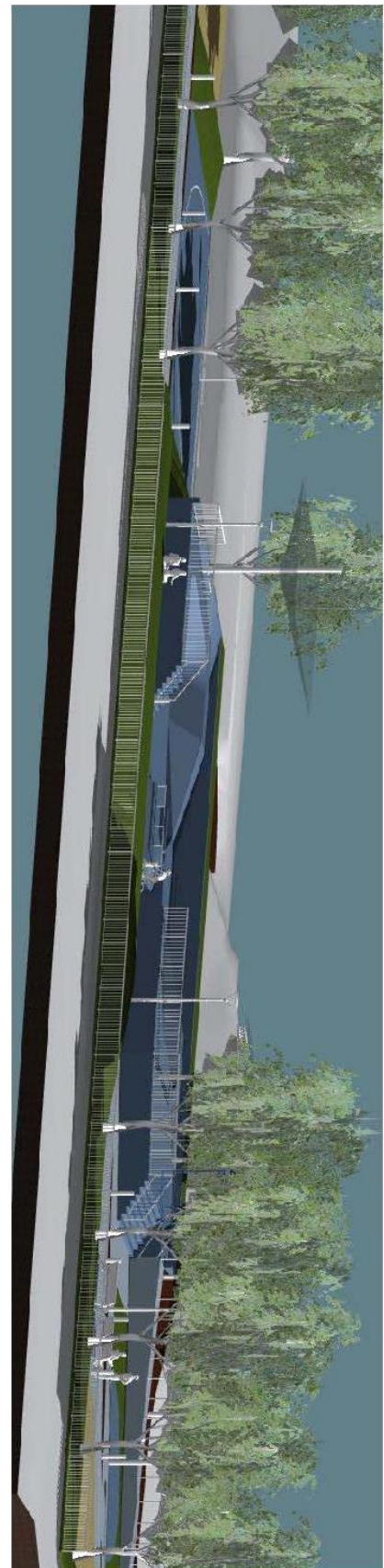
SITE PLAN

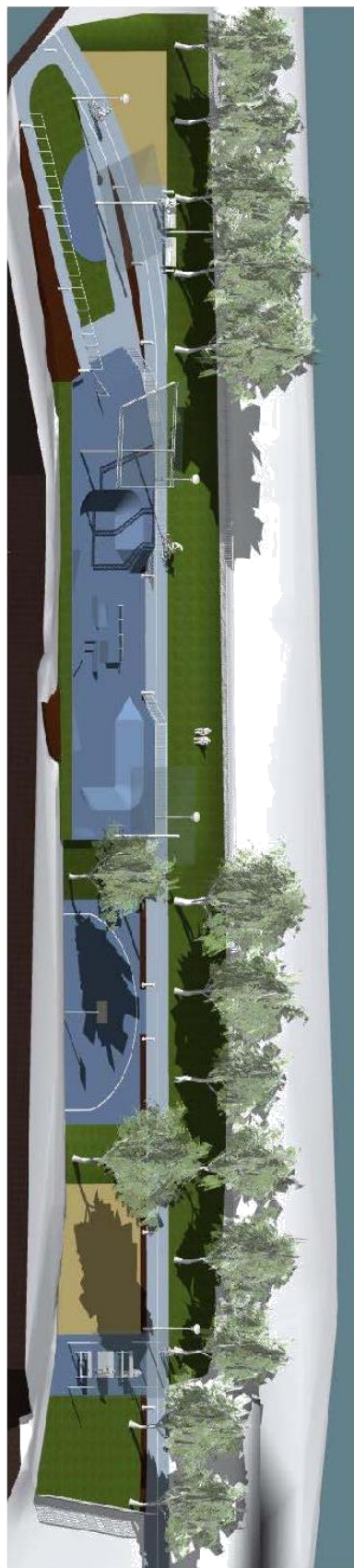
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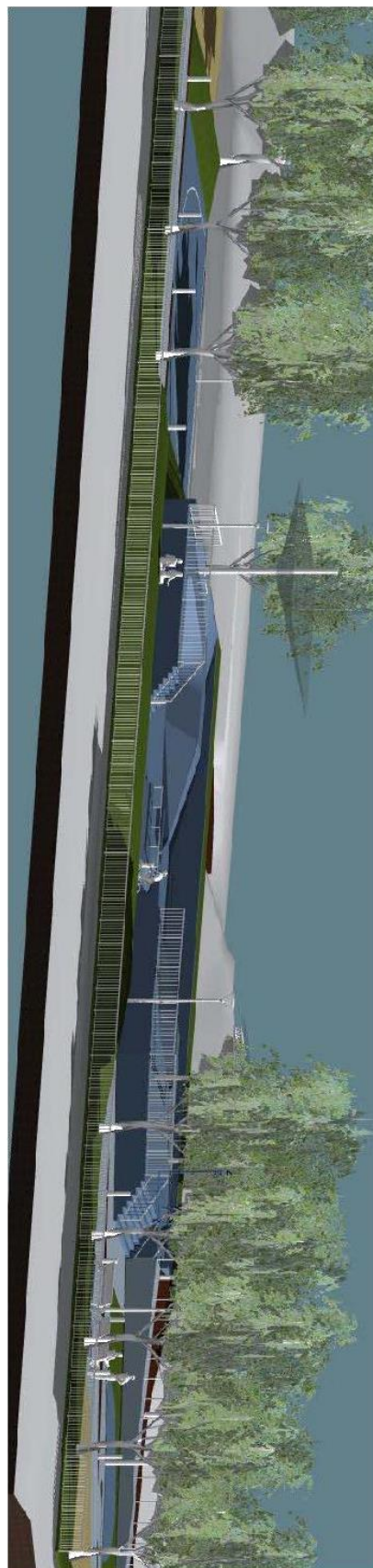
LEGEND

EXISTING	NEW	
A KGV CAR PARK	1 SKATE PARK	9 GREEN SPACE
B CYCLE/ PEDESTRIAN PATH	2 COVERED STAGE	10 2.5m DUAL CYCLE/ PEDESTRIAN PATH
C CYCLE/ PEDESTRIAN CROSS OVER	3 ACCESS RAMP	11 DECIDUOUS TREES (TO REPLACE REMOVED HERITAGE TREES)
D CRESSWELL BEAKLEY GRANDSTAND	4 GREEN SPACE WITH VIEWING BANK	12 FENCE ALONG BOUNDARY LINE
E GRANDSTAND	5 MULTI-USE COURT	13 LEASED GREEN SPACE (SCULPTURE PARK)
F BANK	6 SOFT FALL PLAYGROUND	14 FUTURE LIGHT RAIL TERMINAL
G YMCA CAR PARK	7 SHELTER	15 TIERED AMPHITHEATRE SEATING
	8 EXERCISE EQUIPMENT	16 TENSILE SHADE STRUCTURE









Title	Event Management
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	City Services & Infrastructure
Due for Review	[Four (4) years from Council Resolution Date]
Strategic Plan Reference	'3.1 - Create liveable built environments and sustainably manage our natural and built environments.'
ECM	[Location of policy within Enterprise Content Management system]

PURPOSE

This policy provides clarity and consistency when assessing an application for a Place of Assembly licence.

SCOPE

This policy applies to both internal and external applications for mass outdoor public events (Places of Assembly).

This policy does not apply to events that do not meet the definitions of 'mass' and 'public event' or events that are held indoors.

STATUTORY REQUIREMENTS

A person, group or committee proposing to hold a 'mass outdoor public event' must apply for a Place of Assembly licence under Section 75 of the *Public Health Act 1997*.

Acts	<i>Public Health Act 1997</i>
Regulations	Not Applicable
Australian/International Standards	Not Applicable

DEFINITIONS

'Event Management Plan'	A formal document that systematically identifies potential hazards and risks associated with a particular event and how these are to be controlled and monitored to reduce potential injury or harm.
'mass'	Means one thousand people or more present for two hours or more.
'public event'	Includes, but it not limited to, any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance and publicly advertised lecture.

EVENT MANAGEMENT

An Event Management Plan must be submitted with all applications for a mass outdoor public event. The Event Management Plan must be in the approved form.

Any event which does not meet the definition of a mass outdoor public event is still required to meet any other statutory or Council requirement i.e. Temporary Occupancy Permits, Smoke Management Plans and Traffic Management Plans.

It is the responsibility of the organiser(s) of the mass outdoor public event to manage and coordinate all other information, applications and fees required for secondary/additional participants such as food suppliers and ride operators. To enable a thorough assessment of any application for a mass outdoor

public event, these additional requirements must be provided to Council in accordance with the following schedule:

Requirement	Timeframe
Place of Assembly application form and prescribed fee	Minimum 8 weeks <u>prior</u> to the event
Event Management Plan (if required)	Minimum 6 weeks <u>prior</u> to the event
Food business applications	Minimum 4 weeks <u>prior</u> to the event
Temporary Occupancy Permit	Minimum 3 weeks <u>prior</u> to the event

Failure to provide the required information within the specified timeframe will result in the charging of additional fees for fast track processing or may result in the application being refused.

Assessments will not be valid (and therefore not assessed) until payment of application fees are made in full.

In determining whether or not to grant a Place of Assembly licence, the Council may have regard to any other relevant Council policies or guidelines.

The application and Event Management Plan are to be received and coordinated by the Environmental Health section in accordance with the 'Mass Outdoor Public Events: Internal Assessment Workflow' (Appendix A).

BACKGROUND

Under the *Public Health Act 1997* a Place of Assembly Licence is required for any 'mass outdoor public events'. In a public notice issued under Section 75A of the act:

- 'mass' means one thousand people or more, present for two hours or more.
- 'public event' includes, but is not limited to, any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance and publicly advertised lecture.

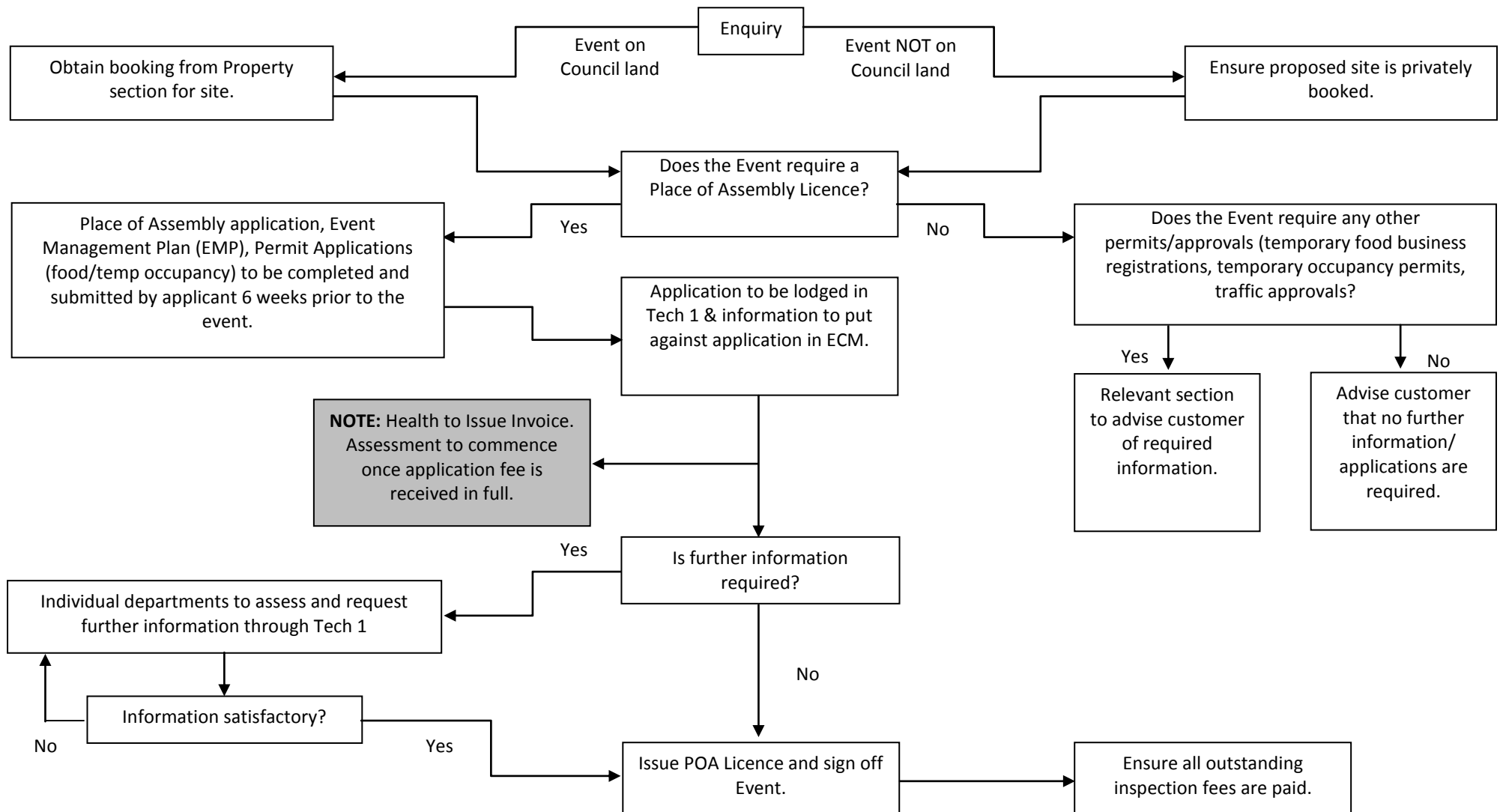
It is an offence for a person to use or lease a place or to operate a place of assembly without a licence. An application for a place of assembly licence is to be in an approved form.

In the past there have been a number of issues with the management of mass outdoor public events. These include:

- late submission of applications and/or information;
- who is responsible for the submission of the applications and information; and
- which section in Council is responsible for the signoff of the event.

In order to manage significant mass outdoor public events in a way in which the benefits to the people of Glenorchy are maximised whilst potential negative impacts are minimised an Event Management policy has been developed.

APPENDIX A – MASS OUTDOOR PUBLIC EVENTS: INTERNAL ASSESSMENT WORKFLOW



FORMAT OF OFFICERS REPORTS

Policy Manual Number 21-1

Council Minutes Ref: Council dated 10th October 2005 (Item 16)
Council dated 20th June 2005 (Item 10)
Council dated 8th April 2002 (Item5)

File Ref: 00098
Author: Manager Governance and Performance (Mr Trevor Jones)
Department: Governance and Performance

Background

The format of officer's reports reflect the structure of the Community & Strategic Plans.

The "Disclosure statement" that is to be used for reports considered in closed Council meets the requirements of the LG Meeting Procedures Regulations Section 15 (9).

Policy Statement

The format of officer reports to Council will be as follows:

REPORT HEADING

Author:
Qualified Person:
File Reference:

Community Plan Reference:

There must be a reference to the Community Plan unless the item is dealing with a corporate management or governance matter.

Strategic or Annual Plan Reference:

There must be a reference to the Strategic or Annual plan unless the item is dealing with a corporate management or governance matter.

Reporting Brief:

A Brief outline of the origin of the report

Proposal In Detail:

The officer's report

Consultations:

This section has been provided previously to ensure that other Department/Sections within council have been consulted regarding the matter being presented to Council. The section should be used in the same way as before but may also include the sources of information that are contained in the report.

Human Resource / Financial and Risk Management Implications:

Should describe the financial and human resources implications of the decision including the financial requirements for the current, and future, financial years as.

Current Year

Next Year

Future Years

Eg \$50000

Eg \$100000

Eg \$100000 in perpetuity

Community Consultation and Public Relations Implications:

This section should outline the community consultation that has been, or will need to be, undertaken. It should also consider the public relations impact of Council's decision

Recommendation:

The officer's recommended course of action. In general, the recommendation should "stand alone" and should require that some action is taken. It may however "receive" a progress report or "adopt" a policy or strategic document provided that it is a "public" document. (ie can be made available to the public).

If the item will be dealt with in committee the officer should include a recommendation that the information can/can not be disclosed eg

After considering privacy and confidentiality issues, the Council resolves that the information contained in this report, decisions, discussions and documents:

- 1. may be used and communicated by Council officers in the performance of their duties*
- 2. may/may not (officer to recommend whichever is appropriate) be disclosed by the Mayor as the spokesperson of Council*
- 3. may/may not (officer to recommend whichever is appropriate) be disclosed by Aldermen*

Resolution:

Council's resolution

This policy rescinds

New Policy

Review

June 2008

Status:

Current

POLICY DOCUMENT CONTROL SHEET

Policy Name: Format of officer's reports

Policy No: 21-1

Department: Governance & Performance

Date Policy Approved by Council: 8th April 2002

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Trevor Jones, Manager, Governance and Performance	Amended disclosure statement to comply with Local Government (Meeting Procedures) Regulations 2005	20th June 2005
Trevor Jones, Manager, Governance and Performance	Amended to change reference from "operational plan" to "annual plan"	10 th October 2005

Disposal of Clinical and Related Wastes

Policy Manual Number: 16-4

Council Minutes Ref: 2nd February 2009

File Ref: Clinical and related waste

Background

Reference should be made to Australian/New Zealand Standards, Management of Clinical and Related Waste (AS/NZS 3816:1998), Non-reusable personal use containers for the collection and disposal of hypodermic needles and syringes (AS 4939-2001), and Non-reusable containers for the collection of sharp medical items used in health care areas (AS 4031-1992).

Clinical and related wastes are generated in a wide range of situations, including residential and commercial properties, and health care facilities. Inappropriate disposal may pose a risk to council workers, waste contractors, the public, and the environment.

Clinical waste is defined as sharps, human tissue waste, laboratory waste, animal waste resulting from medical or veterinary research or treatment, which has the potential to cause disease, and waste as specified by the establishment when arising from any source. For the purpose of this policy clinical waste excludes:

- visually recognisable human tissue
- cytotoxic waste
- hazardous chemical waste
- radioactive waste
- general hospital waste

Sharps are objects or devices having sharp points or protuberances or cutting edges, capable of causing a penetrating injury to humans.

All sharps are to be placed in a container which complies with Australian Standards, Non-reusable containers for the collection of sharp medical items used in the health care areas (AS 4031-1992) or Non-reusable personal use containers for the collection and disposal of hypodermic needles and syringes (AS 4939-2001).

All clinical waste, other than sharps, shall be placed in yellow heavy duty plastic bags conforming to AS/NZS 3816:1998.

All clinical waste containers may be delivered to the tip attendant at the Jackson Street Waste Management Centre by the generator of the waste on the first Wednesday of every month between the hours of 9am and 11am for supervised burial. Disposal of clinical wastes in this manner is restricted to limited quantities transported by individual generators. Current disposal charges for light vehicles shall apply. Larger quantities shall be classified as controlled waste (medical waste) and shall attract the current disposal charge per tonne or part thereof.

Waste management companies licensed to transport clinical waste by the Department of Environment Parks Heritage and The Arts may deposit clinical waste at the Jackson Street Waste Management Centre under supervision between the hours of 8.00am and 3.00pm each Wednesday. Waste delivered in this manner shall be classified as controlled waste (medical waste) and shall attract the current disposal charge per tonne or part thereof.

Policy Statement

1. No clinical wastes are to be disposed of at the Jackson Street Waste_ Centre via domestic or general commercial waste collection services, or any Waste Transfer Station.
2. Only approved clinical wastes (this excludes hospital waste) shall be disposed of at the Jackson Street Waste Management Centre.
3. All clinical waste, including sharps, for disposal at the Jackson Street Waste Management Centre shall be in an approved container, and shall only be received at designated times.
4. The disposal of clinical wastes within the City of Glenorchy shall, as far as is practicable, be in accordance with Australian/New Zealand Standard, Management of clinical and related wastes (AS/NZS 3816:1998)

Review 3 Years

Reviewed February 2009

Status: Current

POLICY DOCUMENT CONTROL SHEET

Policy Name: Disposal of Clinical and Related Wastes

Policy Manual Number: 16-4

Department: Environment Planning and Development

Date Policy Approved by Council: 8th October 2001

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
Greg French Manager Environment Planning and Development	Review	26 th August 2002
David baker Waste management Coordinator	Review	8 th October 2001
Joe Duncan Waste Management Coordinator	Review, increased hours to accept commercial quantities of such waste, changes made to reflect new standards.	2 nd February 2009

Tasmanian Building Regulatory Framework Review

Response Paper

Version 1.0 25 November 2015

The Director of Building Control seeks your feedback on the following draft Bills as part of the Tasmanian Building Regulatory Framework Review:

- Building Bill 2016
- Occupational Licensing Amendment Bill 2016

When providing feedback, please identify in the attached table the clause of the Bill to which you are referring.

Please complete your details:

Name	
Organisation	Glenorchy City Council
Position	
Phone number	62 166 800
Email address	gcc@gccmail.tas.gov.au
Street address	PO Box 103
	
Suburb or city	GLENORCHY
State	TAS Postcode 7010

Building Bill 2016

This Bill introduces a new approach to the building and plumbing approval process, where we consider the risk involved in a project.

High risk projects such as multi-storey buildings, building in hazardous areas or non-standard designs will still need a permit, but medium risk projects can be undertaken by a licensed builder with approval granted by a building surveyor.

If the project is considered to be low risk, for example building a small shed or car port, then a licensed builder can do the work without first seeking a permit.

This will significantly reduce the time and cost to gain approval for many small building and plumbing projects.

Do you support this risk-based approach to building approvals?

☐ YES ☒ NO

Do you think we've placed types of building work in the right categories?

☐ YES ☒ NO

Provide details:

The construction industry falls short in understanding current legislation. The proposal is for a more complex system that incorporates self-regulation and given the sweeping changes there is concern the chances of industry embracing change is low and may be dangerous to the consumer and community.

Until such time a commensurate level of training is provided to the industry to lift standards of work and understanding of legislative obligations it is difficult to see how adding new layers of responsibility is an improvement.

Do you think we've placed types of plumbing work in the right categories?

☒ YES ☐ NO

Provide details:

Please list your specific comments on the Building Bill here, or attach additional pages.

Page	Clause e.g. s36(1)	Comments
	s11(2)	Specifies an owner of a building where building work, plumbing work or demolition work is being performed must ensure the work complies with the Act and the NCC with penalties for noncompliance. The principle behind ultimate responsibility falling on an owner is understood but this section places responsibility for an owner to have knowledge of the National Construction Code and the Act. This raises the scenario that property owners who engage a licensed person will need to do training to understand the imposed obligations to the extent of also being licensed as a property owner who engages a person to do building, plumbing or demolition work.
	s30(1(a)) s245(1) s248(1)	Section 30(1(a)) requires a building surveyor to forward a permit of substantial compliance to a permit authority. Section 248(1) says a permit authority may grant a permit of substantial compliance. Section 245(1) says a building surveyor may grant a certificate of substantial compliance. Section 30(a) requires amending to reflect the respective roles.
	s30(2) s30(2)(g) s109(2) s168(2)	Section 30(2) & 30(2)(g) empowers a building surveyor to perform plumbing inspections. This must clearly be an error. Section 109(2) & 168(2) empowers a permit authority to inspect plumbing work associated with notifiable plumbing work and permit plumbing work. The situation where a building surveyor can inspect plumbing work is inappropriate and must be amended. The matter of a permit authority being able to inspect plumbing work is one that also needs addressing as to the qualifications of the person who can perform the inspection of that work. Currently plumbing regulation 40(1) provides for a person who inspects plumbing work to be competent, it certainly is expected this must remain and even strengthened as to nominate the person qualified to perform those inspections.
	s49	Section 49 is headed " <i>Licensed plumbers</i> " yet the clause (1) references a designer of plumbing work. It is unclear what this section is meaning and further clarification is required. It is taken designer should be substituted with plumber.
	s49(1)(d)	Section 49(1)(d) is believed to ensure plumbing work is installed within the boundaries of land owned by the owner. We have past experience where owners have owned multiple titles of adjoining land and designers have proposed plumbing installations to cross boundaries without any plan for adhesion of the lots. This presents a problem where a lot is able to be on sold to another person thus inheriting a plumbing installation that has no rights to be on that lot. In essence it would be of benefit to add wording to the Bill that rectify this anomaly. The same provision should be made for design of building work as well.

Page	Clause e.g. s36(1)	Comments
	s75	Requires protection work to be done prior to commencing building, plumbing or demolition work. As such documentation must accompany an application for a Certificate of Likely Compliance (CLC) for a building, plumbing or demolition permit that verifies adjoining owners have been notified and agreed or taken to have agreed to the work. Design details of protection work must accompany any application and specify how protection work is to proceed and not be the design plan of the proposed building, plumbing or demolition work. This will ensure the protection work is a genuine consideration and given the time frames for notification will ensure works can commence upon CLCs and permits being issued.
	s95(c) s104(c) s114(c)	Section 95(c), 104(c) and 114(c) references the words “ <i>materially different</i> ” for the avoidance of doubt those words should be defined in the interpretation.
	s100 s109 s119 s101(3)(b) s110(3)(b) s120(3)(b)	Finalising notifiable building, plumbing and demolition work appears to be missing a step with regard to ensuring notifiable work associated with a Certificate of Likely Compliance is satisfactorily completed. The process for completion of notifiable building, plumbing and demolition work under sections 100, 109 and 119 does not appear to have a formal process to indicate to an owner or permit authority that the work has been satisfactorily completed. The process relies upon the responsible person providing the building surveyor or permit authority with a Certificate of Compliance. It would seem appropriate that the building surveyor or permit authority who has issued the CLC would confirm the requirements of the Act and CLC conditions have been complied with in writing by having a formal notifiable work completion satisfying section 101(3)(b) section 110(3)(b) and section 120(3)(b). It would be reasonable to expect if notifiable building or plumbing work has been done that there is verification from the person responsible for issuing a CLC confirming to an owner that the conditions of the CLC and requirements of the Act have been complied with. It might also be expected there is linkage between notifiable work and a 337 Certificate under the Local Government (General) Regulations 2015. The issue is work may be done however there is nothing that confirms the person performing an inspection of notifiable work is satisfied the work complies with the Act or construction code.
	S 107(2)	The requirements of section 104 wherein the responsible person must ensure they have a current CLC. Where work is amended as it proceeds responsibility to ensure the work is or isn't materially different or determining changes to the category of work lies with a designer, builder or plumber in understanding their responsibility for ensuring a CLC is amended or a permit for building or plumbing work has been issued if the work through the amendment causes the work to become permit work. This will rely upon the industry having the knowledge of the legislation and obligations.
	s108(1) s108(1)	Comment on this section relies upon the release of the Directors guidelines that will specify the inspection of Notifiable Work. There is concern with when work is to be inspected, particularly where work must be inspected

Page	Clause e.g. s36(1)	Comments
		more than once or required to be reinspected. To provide constructive comment further consultation is expected/would be appreciated.
	S109(3)	The wording “unless it is unreasonable in the circumstances” used in this section will always be the argument of differing opinion. To provide some clarity with the intent, the wording should be added or amended to this section or guidance produced for that purpose. What would the circumstances be that the work would not be accessible or ready for inspection?
	S106(b) s135(2)(b), s160(4)(b)	The clause refers to protection work having been performed prior to the issue of a permit. The wording must be changed to reflect that a design, specification and any other specified documents that relate to protection work must accompany an application for a building, plumbing or demolition permit.
	135(3), 160(5), s184(3)	Currently fees including the building levy may accompany an application for building or plumbing permit applications. To provide clarity to the point at which fees may be paid s135(3) should be moved to fit in under s133(2)(c) as a new clause being s133(2)(d). Section 160(5) should be moved to fit in under s158(2)(C) as a new clause being s158(2)(d). Section 184(3) should be moved to fit in under s183(2)(C) as a new clause being s183(2)(d).
	S140(e)	Section or clause is missing. Under ? s141?
	s141(d), s146, s166, s170(2)(b), s190(2)(d), s246(2)(d), s279	Introduces the concept of a prescribed fee. Section 141 relates to a permit authority extending the period a permit is in effect. Previous advice relating to fees was that fees are a matter for a Council. Section 279 references the Governor making regulations to prescribe fees payable. The administration of charges that relate to permits must be a matter for Council. Further consultation must take place to clarify prescribed fees.
	s150(2)	It is not clear what process is to be followed or undertaken in the absence of a required report. Further explanation is requested.
	151 s160(2)	This area of performance solutions is far reaching and probably not completely understood by stakeholders. If these sections are designed for permitting the use of non-watermarked fittings and products, onsite waste water systems and sewerage systems consideration needs to be given to the resourcing within permit authorities to deal with such applications and a process for approving plumbing products and systems should be dealt with by the State Government. Dealing with these types of approvals is complex and generally experts would consider these products and installations on a state or national level, this not practical for the local permit authority to be dealing with important decisions of this nature, when dealing with product materials and design. This responsibility and obligation on a permit authority will be cause for

Page	Clause e.g. s36(1)	Comments
		inconsistent decisions. Further explanation of sections 151 and 160 is required.
	s162(5)	Section, clause and/or words are missing.
	s167(1), s167(2) Division 4 – Process for illegal work s243, s246 Division 2 – Permit of substantial compliance	Under s167(1), s167(2) a person must not perform plumbing work unless in accordance with a valid plumbing permit and under s167(2) a person must not vary work from a plumbing permit unless written approval has been obtained prior to performing the work from the relevant permit authority. There is no process to deal with work done that varies from the plumbing permit without written approval, without notification of plumbing work or a plumbing permit. Provisions have been made under Division 4 – Process for illegal work to provide for this same situation with building work, however there are no corresponding provisions for illegal plumbing work. This situation should be clarified with correlating provisions for illegal plumbing work as there is for illegal building work. There is no difference in dealing with illegal building as to illegal plumbing work.
	s209 s212	It is unclear who is to produce a “required report”. Provisions under the current Act have allowed buildings to be occupied when unsuitable to do so. This review is an opportunity to fix this issue. It has been demonstrated occupancy permits have been issued where buildings have not had running water, incomplete and non-commissioned waste water systems, non-commissioned testable backflow prevention devices, non-commissioned temperature controlled hot water systems. It may be appropriate that prior to the issue of an occupancy permit that a permit authority report is requested by a building surveyor.
	s226 s227	Glenorchy City Council has raised the issue of the validity of Building Notices issued for pre 2004 work. Legal advice found there is a lack of certainty in the legislation (Building Act 2000) about whether the enforcement provisions under part 11 of the Act can be conducted over building works that were done pre 2004. This review is the time to rectify this matter and previous legal advice was forwarded by GCC to the Department of Justice on the 30/10/2015 for information and feedback. The issue related to the fact a building permit did not exist prior to 2004. The wording under s226(1)(a) indicates this could again be an issue as the terminology is now referencing permit building work and building permit. Further to this, the parallel provisions for plumbing notices under s227(1)(a) must also be considered in the same way. Legal clarification on this matter must be provided.

Page	Clause e.g. s36(1)	Comments
	s234(1)(2)(i)	Requires the evacuation of a plumbing installation. In practice what is to be done to evacuate a plumbing system? This is terminology that does not seem to fit the situation. If disconnection, sealing, decommissioning, removal, or demolition is required a clearer intention should be provided.
	s226(1) s227(1) s235(2)(4) s239(2)(4)	Indicates there is scope to issue a building or plumbing order without first issuing a building or plumbing notice. Sections 226(1) and 227(1) respectively say a building or plumbing notice is to be issued by a building surveyor or permit authority. Legal opinion is that a notice must be issued before an order can be. The words “<i>minor nature</i>” within s235(2)(4) and s239(2)(4) in relation to orders instils a sense an order may be issued without first issuing a notice. The concept of the notice is to provide for natural justice and right of response. This whole process should be thoroughly looked at to confirm a legal position to provide confidence with procedure in issuing notices and orders. Further to this, at least the words “<i>minor nature</i>” need to be defined within the interpretation for the purpose of clarity and the avoidance of doubt.
	s235(2)(d)	Further wording or amendment required.
	s255	This section references a “ <i>building certificate</i> ”. A building certificate does not have a place anywhere else within the Bill. Why would this be referenced as a certificate to be endorsed when it does not exist?
	s238 s261	Should this section also give consideration to a “ <i>dilapidated building order</i> ” issued under s238?
	s307(4)(b)	The clause must be amended to direct payment for all infringements whether they are served by a permit authority or a general manager to be payable to a council. It is the council and permit authority that is undertaking the enforcement work.

Any other comments on the Building Bill:

Unfortunately there is inconsistency with the detail provided within explanatory information accompanying the Building Bill 2015. This is to the extent of the Bill being referenced as both the Building Bill 2015 and 2016 including a reference to 2016 in the heading of this response paper, from the perspective of comments provided they reflect the Building Bill 2015. This inconsistency makes the whole proposal difficult to appraise not knowing what the desired intent is. The other issue is comments may not be provided or are misguided where stake holders relying on the explanatory information in formulating opinion. The proposed changes are wide sweeping and there will be challenges presented with serious budget impact on councils as well as reliance on the building and plumbing industry in taking up the challenge in embracing this change for it to work. This arises from the knowledge that some practitioners and licensed certifiers have little knowledge of the current legislative hierarchy and process obligations.

The following points will provide further detail to the comments above.

- The *Consumer, Building and Occupational Services – Department of Justice Building Regulatory Framework Review - OVERVIEW OF THE CHANGES* document under the heading *Building work approval changes* dot point 3 *Work that does not need a permit but Council must be notified*. The statement is at complete odds with the draft Building Bill 2015 where Notifiable Building Work is notifiable to a building surveyor and not council. The statement indicates that a council deals with the Notifiable Building Work process. It is considered the statements be altered to indicate that councils are involved with notifiable building work for the purpose of collecting the filing documentation and building levy.
- The processes described in the “*Consumer, Building and Occupational Services – Department of Justice Building – Building Bill 2016 - OVERVIEW OF THE CHANGES*” document under the heading “*Notifiable Building Work Steps*” appears to be at complete odds with the draft Building Bill where the process described is not how the Bill is written, or interpreted. Step No. 8 describes in the process column a permit authority is notified of the work and in the “*Key regulatory/action outcome*” column upon completion of notifiable building work a permit authority is to receive design documents and any varied/as constructed drawings, Certificate of Likely Compliance (Notifiable Building Work) Standard of Work Certificate – are lodged and registered by the permit authority, Building Administration fee and Council filing fee are paid and work is now complete. The Bill under s97(4) indicates a building surveyor is to forward the CLC prior to work starting. The Bill does not mention anything about design plans or as constructed drawings being forwarded nor is there such thing as a Standard of Work Certificate within the Bill. This presents a problem where stakeholders may be looking at the overview of changes without realising the Building Bill is not providing for the same. As such, further accurate and consistent explanation of how the process is to work should be provided.
- Concern associated with low risk and notifiable building work also extends to buildings and structures being built over Council and TasWater infrastructure and within easements. The Building Bill understands the importance of this with the protection provisions under s72 & 73 respectively. However, it has been identified many times that designers have not checked the location of infrastructure and easements prior to lodging permit applications only to be advised amendments to the design is required. The Building Bill provisions could perpetuate the problem further with low risk and notifiable building work being done where drains and easements will be compromised. In the case where this type of problem is not identified for some time after building work has been done a property owner trusting a licensed builder has done everything correct or a subsequent property purchaser is unaware, they unknowingly become responsible for a building that may need to be removed.

- The current section 337 Certificate under the Local Government Regulations 2015, specifically asks questions relating to building and plumbing work. There is concern that those requesting certificates will not get information that relates to low risk or notifiable building and plumbing work. A situation that needs to be addressed to ensure relevant information is provided to those relying upon this certificate. This will alleviate property owners being exposed to compliance action and litigation after purchasing property that may have had work done that has not been done in accordance with the proposed Act. This supports a case for sign off by the building surveyor or permit authority for all work performed by licensed practitioners.
- What provision is made to take enforcement action for non-complying building and plumbing work prior to 2004. Glenorchy City Council legal advice is enforcement action cannot be taken where work was not subject to a building or plumbing permit. This precludes action being taken pre 2004 where building and plumbing permits were not issued.

Draft Directors Determination

- Category 1 should include notation that excludes work that falls into higher categories or include the following note with the reference to “maintenance, repairs or replacement (like for Like) of existing tapware not including thermostatic mixing valves.
- Category 3 indicates a Notice of Work and a Certificate of Likely Compliance under s104 will be will be required prior to performing testing within the specified period of testable backflow prevention devices. Annual testing would mean this process would need to happen every year.
- Category 3 *Installations and Alterations* Dot point 5 change the word ‘for’ to ‘to’.

Inspection of Category 3 - notifiable plumbing work will rely upon the Directors guidelines under s108 (1) of the draft Building Bill 2015 for carrying out inspection of plumbing work. Until the guidelines are provided it is difficult to complete the comments on the draft Directors Determination.

Occupational Licensing Amendment Bill 2016

Page	Clause	Comments
	e.g. s36(1)	

Any other comments on the Occupational Licensing Amendment Bill:

The proposed categories will rely on plumbers' and builders' understanding what work falls into each of the 4 respective categories of work types. Experience would say the current system is not clear to plumbers where currently plumbers are performing work that is not exempt from requiring a plumbing permit such as drain and fire service replacements. If the proposed Directors Determination is to work a compulsory training/education program for plumbers (as provided for in the Occupational Licensing Act 2005 with continuing professional development) will be required and the apprentice plumbing training system needs to include training modules on state legislation. The focus of regulatory training over many years appears to have been on the suite of plumbing standards AS/NZS3500 and not the Tasmanian Plumbing Code nor the latter National Construction Code. The onus is on a plumber to ensure their work is performed in accordance with a permit and the Act, the problem with this is plumbers, in some cases don't know what the Act is and the obligations that go with it.

As explained above, sectors of the construction industry do not have a grasp of the current system and concern is the situation could become worse given the added work types and categories. It is understood the OLA makes provision for targeted continuing professional development and that those provisions need to be implemented as a priority.

Outstanding Actions List - Open Council Meeting						
Council Meeting Date	Clause Number	Subject/Issue	Council Adopted Action	Department Responsible	Comments/Update	Estimated Completion Date
9/06/2015	13.3	Notice of Motion Alderman M. Stevenson	That a brief projects and major operational items summary be provided at each Council meeting.	Corporate Governance	GM is currently in the process of finalising the project update to Council, and the update will be presented to Council at its 29 February 2016 Council Workshop.	29-Feb-16
3/08/2015	8	Community Garden - Kenbrae Avenue and Pitcairn Street	That Council acknowledges that the Legal and Property Department will negotiate a lease under section 179 of the Local Government Act with the Glenorchy Precinct Group for the portion of land between Kenbrae Avenue and Pitcairn Street on either side of the footpath to develop a community garden for the benefit of our community.	Corporate Governance	Council Officers have met 4 times in the past 4 months with a Precinct Working Group to develop the Community Garden proposal. The group has discussed management and operation of the space, stages to the development, local community consultation and placement of physical features eg: seating. Specifically trained Council staff completed a CPED review in early December and this was presented to the Working Party on 7 Dec 2015 for consideration. Council staff and The Greater Glenorchy Community Precinct now await an agreed layout plan and management / operation documentation from the working party to be able to progress with the project to the community consultation phase.	end March-16
3/08/2015	15.1	Notice of Motion - Alderman D. Pearce	That Council re-examines its consultation processes and methods.	Community, Economic Development & Business	This is an action in the Glenorchy City Council Annual Plan 2015/16 to 2018/19 which was adopted by Council on 1 June 2015: 1.1.3.01 Utilise the community engagement process implemented for the new Community Plan to review Council's community engagement process including the operation of Precinct Committees and new methods such as social media. Review Council's community engagement strategy and develop a community engagement manual. The target date for completion of the Action is 30 June 2016.	30-Jun-16
3/08/2015	15.2	Notice of Motion - Alderman J. Branch-Allen	1. Glenorchy City Council plan to facilitate a community forum in 2016 to talk about community food security. 2. We invite Professor David Adams (leader in this area) to talk at the forum.	Community, Economic Development & Business	Resources to be allocated as part of 2016/17 to 2019/20 Annual Plan development.	31-Dec-16
10/06/2014	22.3	Notice of Motion - Alderman C. Lucas - 2 Car Parking Strategy	Council provide a report on current Car parking strategy in the City commercial precincts including: 1. The present parking strategy for the future of the city, and any proposed changes. 2. Details Cash In-Lieu payments in Commercial areas, Glenorchy precinct, Moonah and Claremont – including total fees collected and numbers of spaces in-lieu by year since the year 2000. 3. Any feedback received from developers. 4. How application of this policy and fee levels relate to the Regional Planning scheme. 5. A schedule of fee rates for all Southern councils.	City Services & Infrastructure	Parking Strategy Working Group has been re-established. There has been one meeting so far and the terms of reference have been presented to Council for adoption at its 15 Feb 2016 meeting.	31-Dec-16
29/09/2014	18	Notice of Motion 2 - Alderman J. Branch-Allen Pop up Activities in Glenorchy Municipality	1. The General Manager looks at the Frankston Space Innovators model at Frankston City Council and brings a report back to Council within three months advising if there are possibilities to do a similar project or a specific designed project based on the principles of Frankston City Council for Moonah. 2. That costing of such a project accompanies the report.	Community, Economic Development & Business	Further contact to be made with Frankston Council to update previous research. Officer's report to be drafted for March 2016 Council meeting.	31-Dec-16

Council Meeting Date	Cause Number	Subject/Issue	Council Adopted Action	Department Responsible	Comments/Update	Estimated Completion Date
13/10/2014	7.1	Notice of Motion 7 - Alderman M. Stevenson Develop an 'expression of interest' process	That Council develop an 'expression of interest' process that could be implemented to help find a naming rights sponsor for the Derwent Entertainment Centre and other Council facilities.	Community, Economic Development & Business	EOI process to be developed in conjunction with Manager Legal & Property. To be implemented, in respect of the DEC, as an action item in the DEC Business Plan. Initially to be pursued as foyer naming rights until the DEC brand consolidates.	Dec 2016
1/09/2014	13.4	Question on Notice - Alderman K. Johnston (Relates to Notice of Motion - Alderman K. Johnston - CCTV Evaluation (12 February 2013))	That a report be prepared by the Director Community, Economic Development & Business following consultation with Tasmania Police with respect to the Closed Circuit TV system. That the CCTV system be evaluated every six months and a report produced with a range of identified KPIs. That Council as a priority develop and adopt CCTV system operating procedures and protocols. (refer to Question On Notice for specific details)	Community, Economic Development & Business	Evaluation Report completed. KPIs to be provided by Tasmania Police. Council to write to Tasmania Police by February to seek KPI data.	On-going
31/08/2015	10	Community and Multi-Cultural feasibility Study Election Commitment Grant Deed	a) Council call for expressions of interest in developing a feasibility plan to meet the needs of the community for a Multi-Cultural Centre/ Community Spaces Plan. b) Confirm with the Department of Premier and Cabinet that the proposed grant timelines are acceptable - expenditure within the 2015/16 financial year.	Community, Economic Development & Business	a) A Consultancy/firm has now been engaged to undertake this project - first inception meeting with the steering committee has occurred. Presentation of draft findings due 15th Feb 2016 b) DPAC have confirmed project extension to 30 June 2016.	June 2016
31/08/2015	15	Local Government Reform Update	b) That Council's General Manager ensures that the 'Guiding Principles' adopted by Council are reflected in the draft scoping document as its assessment framework for considering local government reform opportunities. d) Authorise the General Manager to seek quotations from the State Government panel of approved providers and then bring a further report to Council on the results of this process. e) The General Manager arrange a workshop meeting to implement action item (v) of Council's adopted motion from 6th July Council meeting once we have received responses to the Mayor's letter sent to other Councils who expressed interest in talking about amalgamation to meet with all Aldermen.	General Manager	d) Council considered the questions from companies in the closed session of Council meeting on 25 Jan 2016. This item is now COMPLETED.	Completed
26/10/2015	17	Audio Recording of Meetings of Council	That Council APPROVE for the General Manager to negotiate and enter into an agreement with the preferred EOI applicant a suitable audio recording solution for Council.	Corporate Governance	Service provider to demonstrate proposed options (wired and wireless) at 7 March 2016 Council Workshop.	15 Mar-16
23/11/2015	9	Notice of Motion - Proposing the replacement of all speed limit signs and No Stopping signs with pavement marking and the change of road markings from white to yellow.	(c) That Council ENDORSES a database associated with all traffic signs and road markings within Glenorchy municipality be developed. (d) That Council ENDORSES a review of existing speed limit signs within the Glenorchy municipality so that the number of speed limit signs is minimised following the development of the proposed street sign database. (e) That Council ENDORSES a procedure for the 'No Stopping' restrictions be developed to determine where to use signage and/or line marking in terms of full-time 'No Stopping' parking restrictions with the consideration of minimising installation and maintenance costs. (f) That Council ENDORSES that the existing 'No Stopping' signs also be reviewed subsequent to the development of the proposed database. (g) That Council ENDORSES a long term plan for line marking maintenance to be developed subsequent to the development of the proposed database.	City Services & Infrastructure	Transport Engineer has commenced work on the development of the traffic signs and line marking database.	30 Dec-16
23/11/2015	10	Bushfire Management	2. That Council APPROVES the implementation of an improved, on-going bushfire management program (stages 1-3) to meet statutory responsibilities that is expected to cost, on average, \$343,000 per year over the first 10 years and thereafter have an on-going cost of \$273,000. 3. That Council APPROVES a budget variation of \$45,000 for the 15/16 financial year to commence stage 1 of the bushfire management program for policy and strategy development.	City Services & Infrastructure	2. Council Policy, Strategy and Bushfire Management Plan to be developed by new position holder. 3. New Position Description currently being developed for approval and advertising.	2. 30 Dec 2016 3. Expect position to be advertised in Feb 2016.

Council Meeting Date	Clause Number	Subject/Issue	Council Adopted Action	Department Responsible	Comments/Update	Estimated Completion Date
21/12/2015	9	Main Road Transit (Public Transport) Corridor, Bus Priority and Bus Stop Optimisation Measures	3. Requires a further report be provided to Council on completion of detailed design and prior to the implementation of bus priority measures at the intersection of Main Road and Derwent Park Road/Springfield Avenue	City Services & Infrastructure	Officers from the Department of State Growth have been made aware of the resolution and will provide Council with detailed design drawings for further review before final approval is agreed.	30-Jun-16
			That Council (b) subject to the matched support of Hobart City Council: (i) INITIATE a Public Transit Corridor Urban Utilisation and Economic Benefit project for the current rail corridor, based on that Project Proposal, in partnership with Hobart City Council; (ii) EXCHANGE Memoranda of Agreement to proceed with the project on terms and conditions agreed by the General Managers of the respective Councils; (iii) PREPARE a brief requesting expressions of interest from suitably qualified and experienced public transport and urban development consultants demonstrating their capacity to fully develop a report and recommendations satisfying the combined requirements of the two Councils; (iv) AGREE to requesting submissions from consultants that have demonstrated through their expressions of interest submissions that they have the capacity to provide a report capable of satisfying the requirements of the brief; (v) ALLOCATE up to \$75,000 as Glenorchy City Council's contribution to the cost of engaging a consultant, subject to Hobart City Council agreeing to allocate \$75,000 with the total fee for the consultancy not exceeding \$150,000.			
25/01/2016	9	Development Opportunities along the Potential Public Transit Corridor		Community, Economic Development & Business	At the time of writing, Council awaits advice of HCC decision on 9 Feb 2016 to match GCC resolution. As at the 9 Feb 2016 Working Group meeting, the HCC Governance Committee had recommended support subject to extending the scope of the project from CBD to North Hobart. The next meeting of the Working Group is to be held at GCC on 17 Feb 2016 with a briefing to be provided by Allan Garcia of Infrastructure Tasmania.	30-Jun-16
			That council (a) PROVIDES a budget allocation of \$100 per year per school in the Glenorchy City Municipality that applies for the registration fee to take part in the Keep Australia Beautiful Eco-School program. (b) AUTHORIZES the General Manager to approve this payment on receipt of invoice.			
25/01/2016	10	Keep Australia Beautiful Eco-School Program Registration Request		City Services & Infrastructure	Draft template letter being drafted so that the Mayor/GM can mail all schools notifying them of the resolution and inviting them to apply. An article may be placed in the Glenorchy Gazette to promote this initiative. A budget will be provided in the Waste Management Education Program.	30-Jun-16
25/01/2016	11	Actions List - Update Report	Corporate Performance Reporting • Management to provide a framework at February workshop. • Clarification as to reporting requirements of the Council.	Community, Economic Development & Business/Corporate Governance	Survey Monkey questionnaire to be finalised to Aldermen by 15 Feb 2016 to clarify guidance to officers. Survey results to inform forthcoming follow up Council workshop. Date TBC.	11-Apr-16
25/01/2016	13	Council Policy and Procedure Framework	Any Policies that miss review date are to be notified to the General Manager and the Council as and when they occur (or via 6 monthly reports?)	Corporate Governance	The Policy has been amended to include the wording from the Council Resolution.	Completed
25/01/2016	16	Corporate Performance Indicators - December 2015	Management advise: i) About the water sales being 'under budget' (refer to page 142 of report) ii) Capital Budget and stormwater project re savings we are making iii) About 2.5% "unbudgeted" salary increase clarification	Corporate Governance / Community, Economic Development & Business	i) The email will be sent to the Aldermen the week ending 12 February 2016 ii) The email will be sent to the Aldermen the week ending 12 February 2016 iii) The answer has been provided by e-mail on 9 Feb 2016.	12-Feb-16
25/01/2016	19.1	Notice of Motion - Alderman M. Stevenson	That Council investigates its jurisdiction to ban smoking along the InterCity Cycleway and; Returns a report to Council advising if it does have jurisdiction to do so, and; if possible, provide an appropriate schedule for implementing such a ban, and Council to consult with HCC e.g. Salamanca market's compliance.	City Services & Infrastructure	A report is being prepared for a future Council meeting.	30-Jun-16

Monday, 25 January 2016

Council Minutes

17. QUESTION ON NOTICE - ALDERMAN M. STEVENSON 1

File Reference: Question on Notice

Question on Notice:

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

Questions and Answers:

Q. Can you please provide further details on the 2.5% unbudgeted salary increase in May 2015 and what was the process for it to occur?

A. The **approved** 2014-15 budget included provisions for a salary increase in the second pay period in October 2014 on the expectation that a new Glenorchy City Council Enterprise Agreement 2015 (GCCEA 2015) would be in place.

However, the outcome of the EBA 2015 process was that Council, the employer, received a "NO" vote to the proposed new Glenorchy City Council Enterprise Agreement 2015 (GCCEA 2015). The GCCEA 2010 provided no further increases beyond October 2013.

However, as a gesture of good will the General Manager approved the payment of a 2.5% pay increase to all staff, the amount which was included within the approved budget 2014-15 on the expectations of the new EBA 2015.

To communicate this decision the General Manager issued a notice to all staff on 6 May 2015 informing employees of the 2.5% salary adjustment to base rates of the GCCEA 2010. The salary adjustment was effective on the first full pay period on or after 1 May 2015.

Therefore, the 2.5% was included in the approved budget as explained above.

Q. In the 2015/16 key assumption documents from workshops in April and May there was a budgeted salary increase of 2.5%. Did this remain as part of our adopted budget, and if so, how does this 2.5% unbudgeted increase continue to impact the 15/16 budget?

A. Following the answer to question 1 this question is no longer relevant.

Naturally, the 2.5% salary increase explained above continues in 2015-16 and future budgets.

Q. At what stage is the Council in with regard to the current EBA process?

A. In 2016 Glenorchy City Council (GCC) resumed negotiations on a Glenorchy City Council Enterprise Agreement 2016. On Wednesday 2 December 2015 the Australian Services Union (ASU) and GCC met to determine key dates pivotal to the recommencement of the Enterprise Agreement process for GCC. These were the date the Notice of Employee Representational Rights would be issued, and the date for the next negotiation meeting to be held.

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The Notice of Employee Representational Rights in accordance with schedule 2.1 of the *Fair Work Regulations 2009* was issued on Monday, 7 December 2015 to all employees eligible to be covered by the proposed Glenorchy City Council Enterprise Agreement 2016.

The notice explained that an employee has the right to be represented by a person or an organisation in agreement negotiations but, in certain circumstances, must make such an authorisation in writing. Employees who are union members are represented by their union provided that the union is entitled to represent the industrial interests of the employee for work to be performed under the agreement.

On Thursday, 14 January 2016, a preliminary Glenorchy City Council Enterprise Agreement 2016 meeting was held.

The ASU submitted a first draft log of claims to Council, and general discussions occurred about the process.

Due to a large number of employee bargaining agents being on leave it was agreed that the first combined meeting of all parties (bargaining agents, ASU and GCC) will be held on Tuesday, 9 February 2016.

When negotiations recommence, bargaining will resume from where the 2015 discussions progressed to, rather than starting the process again from scratch.



..... Garage Sale Trail 2015

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