

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 15 May 2017 at 3.00 p.m.**



Present: Commissioner Sue Smith

In attendance: Mr. T. McMullen (Acting General Manager), Mr. S. Scott (Acting Director, Corporate Governance), Mr. D. Ronaldson (Acting Director, Community, Economic and Business), Mr. P. Garnsey (Acting Director, City Services and Infrastructure), Mr. C. French (Acting Chief Financial Officer), Ms. C. Higgins (Manager, Legal and Property), Mr. B. Hannan (Acting Manager, Governance and Risk), Ms. E. McGoldrick (Acting Manager, City Strategy and Economic Development), Mr. R. Grierson (Manager Infrastructure, Engineering and Design), Mr. F. Chen (Hydraulics Engineer), Mr. A. Wooldridge (Strategic Procurement Coordinator), Mr. R. Blackwell (Acting Property Coordinator), Mr G. Blackwell (Engineering Projects Officer), Mrs. G. Bowring (Coordinator, Customer Service), Ms. A. Ayers (Customer Service Officer), Ms. J. Budd (Customer Service Officer) and Mrs. R. Webster (Customer Service Team Leader).

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That the minutes of the Council Meeting held on Wednesday, 19 April 2017, be confirmed with an amendment to remove Ms. C. Higgins (Manager, Legal and Property) from the list of attendees.

3. ANNOUNCEMENTS BY THE CHAIR

None.

4. PECUNIARY INTEREST NOTIFICATION

There were no declarations of pecuniary interest.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mrs. Kaye Smith – 21 Constance Avenue, Glenorchy

Q: What was the \$5,100 Qantas credit card expense recently reported in *The Mercury*?

A: The expense was for the cost of a return airfare for the General Manager to attend a meeting of the Local Government Chief Officers Group in Western Australia in November 2016.

Mr. Phil Butler – 504 Main Road, Montrose

Q: The Corporate Performance Indicators (Item 15) indicate that Admin and Office costs are \$42,000 over budget.

The notes indicate that one of the contributing factors is 'Aldermanic Expenses'. Given that Aldermen were suspended in February, what are these expenses?

A: The CPI Report advised that Admin Office Costs were \$42,000 over budget:

"...Primarily due to payment of Derwent Estuary Program fees which were budgeted in December and legal expenses incurred in CSI and CG including Council procedural matters and aldermanic costs and various building and plumbing and property lease advice."

The 'aldermanic costs' referred to in that passage form part of the "legal expenses incurred in CSI and CG", and are not separate aldermanic expenses such as reimbursements or aldermanic allowances.

In-fact, the actual aldermanic expenses incurred were under budget by approximately \$14,000 for the financial year at the time of the CPI assessment at the end of February 2017. As noted in the report, the primary reason for that account being over budget was the payment of Derwent Estuary Program fees.

Mr. Darrell Vincent – 36 Teering Road, Berriedale

Q: In relation to Item 10 on the Agenda (Dog Registration, Schedule of Fees), why is the concession rate \$3 higher than the non-concession rate?

A: It appears that the concession rate was originally increased to be higher than the non-concession de-sexed dog rate in April 2011 and that the incremental increases that have followed have continued that trend. Council is unable to provide a further explanation as to why that occurred.

However, the fees adopted for the 2017-18 financial year at the 19 April 2017 address this issue, and that the concession rate for a de-sexed dog is now \$12 lower than the non-concession rate for a de-sexed dog.

Q: In the report for Item 10 on the Agenda, Council is presented with 2 different options: Option A and Option B. Which of those options is going to be adopted?

A: Option A was adopted by Council in accordance with the recommendations in the officer's report.

Mr. George Burrows – 650 Main Road, Granton

Q: Has Council ever made any attempt to investigate the provision of automatic credit card deductions for rate payments? And when will this provision be made available to ratepayers?

A: Recent investigations have identified that software that will process Council's rates payments does not currently have the capability to process automatic credit card deductions. Council has not made any further attempts to investigate whether to introduce this service other than those undertaken in response to Mr. Burrows' previous requests.

Council does not have any current plans to implement automatic credit card deductions for rate payments.

Q: Some time ago, Council investigated the cost of notifying citizens by SMS that rates notices were overdue. The cost of this service was estimated at 0.5c per SMS. When will Council introduce this service in order to save people getting fined for their overdue rates?

A: Council already utilises SMS notifications to notify ratepayers of overdue rates and has done so in respect of every rate instalment due date since August 2015.

SMS messages are only sent to ratepayers who have both an overdue balance and whose mobile phone number is registered in our system. If there are multiple owners registered for a property, an SMS is issued to each owner.

Q: At Council's Annual General Meeting in 2016, I asked about the implementation of Citizens Juries, and particularly whether this could be trialed in some form in relation to the question of 2017 rates. In respect of this:

1. Has the investigation about the implementation of citizens juries taken place?
2. Will some form of public consultation (preferably a trial version of citizens juries) take place this year in prior to the determination of 2017 rates?

A: Officers from Council's Community Planning and Inclusion section have undertaken investigations in response to Mr Burrows' motion moved at the 2016 AGM. In particular, the concept of citizens' juries has been considered as part of Council's Community Engagement Framework (**Framework**) which is to be presented to Council at the 15 May 2017 Council meeting.

The Framework will provide detailed guidance to Council on the methods of engaging and consulting with the Community in different circumstances and in relation to different matters. Those means include guidance on when and how it is appropriate to utilise citizens' juries as a means of community engagement.

However, the implementation of the Framework will not result in the implementation of a citizens' jury to decide on Council's 2017 rates. The reasons for that are:

- it is the role and purpose of elected members of local government to make decisions about matters such as this, and
- in any event, under the *Local Government Act 1993 (the Act)*, the determination of rates is a power that remains exclusively with the Council.

In respect to the latter, section 22(3) of the Act sets out a number of powers that Council cannot delegate and must be exercised by body of elected Aldermen (or the Commissioner). The powers that cannot be delegated include "*the making of rates and charges under Part 9*" (see subsection 23(3)(h)).

Accordingly, even if Council does determine that it is appropriate to utilise citizens' juries to guide certain decisions, those will not include the decisions about rates, because Council is prevented from delegating that power.

Mr. Geoff Corrigan – 10 Fleming Street, Glenorchy

There are currently two 5 minute car parking places outside Tasmanian Eye Clinic on Main Road, Glenorchy. Could one or both of these be converted to a disabled car parking space, given the number of elderly residents who visit the eye clinic?

A disabled parking space will be installed in the suggested location as part of the Glenorchy CBD Revitalisation Project (**CBD Project**) which is currently in advanced planning stages.

Council endorsed a concept urban design for the CBD Project at its meeting on 19 December 2016. The concept design currently proposes that three (3) on-street disability parking spaces are installed along Main Road between Terry Street and Barry Street, one of which is outside the eye clinic.

Unfortunately, it is not possible to simply change the signage on the existing spaces, due to the work required to ensure that disabled spaces comply with the relevant Australian Standards for accessible parking.

6. PUBLIC QUESTION TIME (15 MINUTES)

Mrs. Pam Harvey – 32 Katoomba Crescent, Rosetta

Q: In interviews with the Board of Inquiry (BOI), Mrs. Harvey was assured that the information given was to be kept confidential. Were the personal details of the interviewees that were given to the BOI released in the report that was given to the interested parties?

A: Commissioner Smith advised that she was aware that a copy of a strictly confidential report along with an electronic copy all of the evidence had been provided to the individuals concerned. She also understood that the orders made in the Supreme Court Proceedings commenced by one of the parties may have led to information being released that would not otherwise have been, but was otherwise unable to answer the question.

Commissioner Smith took the balance of the question on notice and undertook to provide an answer in writing within ten (10) days.

Q: What is the situation regarding the payment of the legal fees for the Aldermen related to the Board of Inquiry. If they are no longer employees of Council why are they entitled to payment of their legal fees?

A: Commissioner Smith advised that Council has an insurance policy which covers Aldermen and employees at the particular time that actions may or may not have happened, irrespective of whether they are still employees at the time the claim is made. Such an insurance policy is not uncommon in business or local government for boards, Aldermen or senior officers.

Commissioner Smith was aware that Council has paid \$65,000 in fees for directors and officers on the basis that they would be reimbursed by our insurer. Her discussions with our insurance brokers (State Manager for Tasmania and Victoria) have left her confident that those funds will be recovered, hopefully before the end of the financial year. She also noted that there was nothing improper about Council having paid the bills and seeking to recover the costs from the insurers, though advised that all future costs would be passed directly to the insurance company rather than being paid by Council and reimbursed.

Mrs. Kaye Smith – 21 Constance Avenue, Glenorchy

Q: Further to Mrs. Smith's question from last month, who authorised the \$5,100 flight to Perth? Why was it business class? Why was this just for a return flight for one person, and is there, or should there be, a policy with GCC regarding lower cost travel options?

A: Commissioner Smith advised that it was common in contracts of employment for senior officers to be given an allowance to travel to interstate conferences and other professional development events, to further themselves and the organisation. She also noted that the airfare in question was from Hobart to Geraldton in WA, via Perth and Melbourne (i.e. it was not a direct flight), and that it is up to the organisation to approve individual expenses such as this.

Commissioner Smith took the balance of the question on notice and undertook to provide an answer in writing within ten (10) days.

Q: Will Aldermen be covered during their period of suspension under the Council's Directors and Officers' insurance policy?

A: Commissioner Smith advised that they would be covered, provided the claim relates to expenses incurred in respect of the Board of Inquiry and responding to questions that are asked.

Q: It is understood that the General Manager and the Director, Corporate Governance and General Counsel are on leave. Will any of their legal expenses be covered while they are on leave, and how long are they expected to be on leave for?

A: Commissioner Smith took the question on notice and undertook to provide an answer in writing within ten (10) days.

Mr. Phil Butler – 504 Main Road, Montrose (on behalf of Glenorchy Ratepayers Association)

Q: In respect of item 10 on the Agenda (Community Engagement Strategy), there is no representation from wider community (as there used to be) with the Community Precinct Program. Will the Commissioner undertake to review the decision to cancel the Community Precincts program, in light of the events that have occurred in the past 12 months?

A: Commissioner Smith advised that she considered the Glenorchy Community very fortunate to have a Council that has gone to such lengths to include the community in its decision making. She also noted that the procedure was very wide in its application, and that she interpreted the framework as very broad in that it prescribed many ways in which community engagement can happen.

Commissioner Smith further advised that she would not be undertaking a review of the decision to cancel the Community Precinct Program during her time as Commissioner.

Mr. George Burrows – 650 Main Road, Granton

Q: Mr Burrows noted that in the minutes of Council meetings, only question section of questions asked during public question time is included, and some of the background information that is given is not. Will Council accept that some background to questions should be published to make sure the balance of this information is restored?

A: Commissioner Smith advised that she would not consider broadening the scope of what is published to include background comments. She noted that public question time was a time for asking questions, not making comments, and that if all the background information were published there was a danger that the questions or comments could be misinterpreted.

Q: In respect of the extension of the painted cycleway from Claremont to Main Rd, Austin's Ferry: Before the Community Precincts were abandoned, this work had been opposed. Engineers visited the site and consulted with the precinct group at least 3 times, but in the report that was presented to Council, no mention was made of any opposition. The project was initially rejected by Council at the planning stage, but the Aldermen then later met and reversed that decision. Why is Council going ahead with the road painting? What measures in respect of increased usage for safety have been undertaken to justify this expenditure?

A: Commissioner Smith made no comment in respect of the previous actions undertaken by Council, and noted that (as did Mr Burrows) that Aldermen had come to a lawful decision to approve the relevant works.

Commissioner Smith also commented that cycleways and similar infrastructure are not just for the residents who live around them, but rather are for the wider community and people who wish to travel from one place to another. Council has to look beyond those who just live locally, though should of course always consider the views of local residents.

Commissioner Smith noted that she understood that there is a consultation process currently being undertaken, and that the relevant information is being gathered. She also understood that external funds have been granted to continue the extension of the relevant cycleway, and that we need to encourage people to engage in active pursuits as well as protect the safety of pedestrians and children who walk or ride to school.

7. PETITIONS/ADDRESSES TO COUNCIL MEETING

None.

COMMUNITY

8. CUSTOMER SERVICE CHARTER

File Reference: Customer Service Charter

Reporting Brief:

The purpose of this report is to recommend that Council:

- a) adopts an updated Customer Service Charter
- b) notes the updated Service Delivery Levels commitments, and
- c) notes the work undertaken to develop these documents.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

- 1. ADOPT the Customer Service Charter, and
- 2. NOTE the Service Levels documentation.

9. EDUCATION ACT PROPOSED CHANGES AND IMPACT TO GCC CHILD CARE CENTRES

File Reference: Agenda for Children and Young People

Reporting Brief:

The purpose of this report is to provide Council with updated information regarding the progress to implement actions arising out the recent passage of the new *Education Act 2016* and the impact of the new act on Council's Long Day Care Centres. This report follows an initial report to Council on 26 September 2016.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. RECEIVE the above report which provides updated information regarding the changes school starting age under the *Education Act 2016*, and the potential impacts on the Glenorchy Community and Council's Child Care Services, and
2. NOTE that a further update on the impacts of the proposed changes to Council's Child Care Centre's in Berriedale and Benjafield will be provided in the second half of the 2017-18 financial year.

10. COMMUNITY ENGAGEMENT STRATEGY

File Reference: Community Engagement Framework 2016

Reporting Brief:

The purpose of this report is to present Council's proposed Community Engagement Framework to Council for adoption.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. ADOPT the Glenorchy City Council *Community Engagement Policy* in the form of Attachment 1 to govern Council's community engagement activities into the future
2. NOTE the Glenorchy City Council *Community Engagement Procedure* and *Community Engagement Toolkit* in the form of Attachments 2 and 3 to guide Council Officers when designing and delivering community engagement programs and activities
3. APPROVE Council becoming a corporate member of the International Association for Public Participation (IAP2) Australasia, and
4. ENSURE that Procedure and Toolkit changes are to be tabled to allow elected members to be aware of the process.

ECONOMIC

11. GLENORCHY CITY COUNCIL FINANCIAL MANAGEMENT STRATEGY

File Reference: Financial Management Strategy

Reporting Brief:

The purpose of this report is to recommend that Council adopts the Glenorchy City Council Financial Management Strategy 2017, in compliance with the requirements of the *Local Government Act 1993*.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. ADOPT the Glenorchy City Council Financial Management Strategy 2017 (**FMS**) in the form of Attachment 1, and
2. RESCIND the following existing Council policies, which will be made superfluous by the adoption of the FMS:
 - (a) Borrowing Policy
 - (b) Cash Policy
 - (c) Debt Policy
 - (d) Fees and Charges
 - (e) Finance Master Funding
 - (f) Financial Operating Costs
 - (g) Financial reserves for the Future
 - (h) Financial Sustainability
 - (i) Investment Policy (for Management of Short-Term Funds), and
 - (j) Rate Revenue.

12. GLENORCHY CBD REVITALISATION PROJECT PROGRESS REPORT (20/03/17 - 15/05/17)

File Reference: CBD Steering Committee

Reporting Brief:

This report provides Council with a bi-monthly progress report on the Glenorchy CBD Revitalisation Project.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

RECEIVE and NOTE the CBD Revitalisation Project bi-monthly progress report for the period from 20 March to 15 May 2017.

GOVERNANCE

13. KGV COMMUNITY PARK

File Reference: KGV

Reporting Brief:

The purpose of this report is to brief Council on the work undertaken on the proposed KGV Community Park project, including further community consultation following the 20 March 2017 Council Meeting, and to recommend that Council:

- (a) endorses the proposed location of the KGV Community Park, and
- (b) approves the progression of the project to the next stage (design and implementation).

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

1. NOTE the feedback received from the community during the consultation undertaken to date, including the additional community consultation undertaken since the Council meeting on 20 March 2017

2. ENDORSE the proposed location of the KGV Community Park within the KGV sports and community precinct in accordance with the KGV Masterplan
3. APPROVE the project proceeding to design and implementation stage in accordance with Council's procurement procedures, noting that the design stage will be presented to neighbouring tenants and other activity areas once it is completed, for comment.

14. REPAIRS TO ROSETTA RAIL BRIDGE

File Reference: Budget

Reporting Brief:

The purpose of this report is to seek Council's authorisation to spend \$90,000 on repairs to the Rosetta Rail Bridge at Main Road, Rosetta.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

APPROVE additional expenditure of \$90,000 above Council's estimated expenditure for the 2016-17 financial under section 82(4) of the *Local Government Act 1993* to fund repairs to the Rosetta Rail Bridge.

15. PROCUREMENT STRATEGY

File Reference: Procurement Management

Reporting Brief:

The purpose of this report is to inform Council of the adoption of Council's new Procurement Strategy and provide information to Council about its role and strategic importance.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

RECEIVE and NOTE the Procurement Strategy in the form of Attachment 1.

16. ADOPTION OF UPDATED STORMWATER PROPERTY CONNECTIONS POLICY

File Reference: Council Policy

Reporting Brief:

This report recommends that Council adopts an updated 'Stormwater Property Connections' policy, as part of Council's ongoing policy review process.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

ADOPT the 'Stormwater Property Connections' policy in the form of Attachment 1.

17. ANNUAL PLAN PROGRESS REPORT AS AT 31 MARCH 2017

File Reference: Quarterly Report - Annual Plan Progress

Reporting Brief:

To provide Council with the Quarterly Annual Plan Progress Report for the quarter ending 31 March 2017.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

RECEIVE and NOTE the Quarterly Annual Plan Progress Report for the quarter ending 31 March 2017, with the noted changes of priority listings, as follows:

- (a) for Action 1.2.2.09: *Deliver the externally funded KGV Sports and Community Precinct Project*, the priority is to be changed from 'Low' to 'High', and
- (b) for Action 4.1.2.01: *Manage the operation and maintenance of the Derwent Park Stormwater Re-use scheme*, the priority is to be changed from 'Medium' to 'High'.

18. CORPORATE PERFORMANCE INDICATORS - MARCH 2017

File Reference: Traffic Lights

Reporting Brief:

The purpose of this report is to present Council's Corporate Performance Indicators as at the end of March 2017.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

ACCEPT the information provided by the Corporate Performance Indicators for March 2017.

19. 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 19 April 2017.

Moved: COMMISSIONER SMITH

Approved by Commissioner Smith:

That Council:

NOTE the progress of the items on the Actions List (Open Council Meeting), as updated following the 19 April 2017 Council meeting.

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

None.

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

21. APPLICATIONS FOR LEAVE OF ABSENCE

None.

GOVERNANCE

22. 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*.

23. UPDATE REGARDING BERRIEDALE CARAVAN PARK

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 proposes to conduct, business), and 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

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

The meeting closed at 5.14 p.m.

Confirmed,

CHAIRMAN