

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council chambers
on Monday, 18 December 2023 at 3:30pm**



**Present
(in Chambers):**

Alderman Bec Thomas (Mayor), Alderman Sue Hickey (Deputy Mayor), Aldermen Shane Alderton, Josh Cockshutt, Jan Dunsby, Steven King, Stuart Slade and Russell Yaxley, Councillors Molly Kendall and Harry Quick.

**In attendance
(in Chambers):**

Tony McMullen (General Manager), Jenny Richardson (Director Community and Corporate Services), Emilio Reale (Director Infrastructure and Works), Christine Lane (Manager Stakeholder and Executive), Emma Watkins (Coordinator Stakeholder and Executive), Luke Chiu (Manager Property, Environment and Waste), Paul Gimpl (Chief Financial Officer), Tracey Ehrlich (Manager People and Governance)

**In attendance
(by video link):**

Mandy Henderson (Executive Assistant to the General Manager), Andy Watson (Executive Assistant to the Mayor)

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 11 December 2023

Purpose: To discuss:

- Conflicts of Interest provisions
- Update on Planning Authority Processes
- Budget workshop #2 – Capital works project proposals, survey of initial responses and elected member budget bid process

The Council meeting was live streamed on Council's website, Facebook page and YouTube channel. The peak number of viewers watching the live stream was 24 viewers and 15 members of the public attended in person.

The Chair opened the meeting at 3.30pm.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal Community as the original and traditional owners and continuing custodians of the land and their elders, past, present and emerging.

The Chair read a statement noting that the meeting would be recorded and live streamed to members of the public, and about work health and safety at the Council meeting.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Resolution:

DUNSBY/SLADE

That the minutes of the Council meeting held on Monday, 27 November 2023 be confirmed.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

Alderman Dunsby requested amendments to the November minutes as below. These amendments have been made and the new version uploaded to the Glenorchy City Council website.

Item 22 – Notices of Motions – Questions on Notice / Without Notice.:

Question without notice – Alderman Yaxley

Q1: Can council provide an update of progress of advocacy with Department of State Growth in the past 12 months around the *Brooker Highway/Duncan Street* intersection?

Question without notice – Alderman Alderton

Q1: Will the Elected Members have any input into the community engagement process *on the future of the pool* consultation when it is conducted?

3. ANNOUNCEMENTS BY THE CHAIR

MI Global Partners

- I would like to take this opportunity to advise that Glenorchy City Council has appointed MI Global Partners to undertake an investigation into the options for the Glenorchy War Memorial Pool site, including a redeveloped pool facility.
- MI Global Partners has more than 20 years' experience working on events, sport and other projects, and has associations with firms both nationally and locally to undertake various aspects of the project.
- MI Global Partners was selected following a strongly contested tender process.
- I know many people will be eager to know about the community engagement part of this investigation, and I can advise that MI Global Partners expects to have its engagement plan finalised by the middle of January 2024.
- As always, Council will keep the community informed as to the next steps of this project and how it can provide information and feedback to help determine the future of the pool site.

Heritage Assessment

- I can also advise that Council has received a report on the local heritage values of the Glenorchy War Memorial Pool.
- As people may be aware, Heritage Tasmania has advised the pool does not contain any heritage aspects of State significance and therefore would not be included on the Tasmanian Heritage Register.
- However, Council was determined to ensure the pool and its values were thoroughly understood and opted to have the site's local heritage values assessed.
- As I said, that report has now been received and will be prepared for Council to consider. The report will also be provided to the consultants investigating options for the pool site to help inform their work. Importantly, once the report is considered by council, it will be published on the council's website.

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.

No declarations of pecuniary interest were declared.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question on notice – Catherine De La Torre, Chigwell

Q1: Greetings, I have just read that the Derwent Valley Council intends to provide a free shuttle service to the New Norfolk swimming pool whilst the local pool is closed this season. I as a member of your constituency would like to know if you would consider doing the same whilst we await a pool in the Glenorchy area?

I know some of you are lucky enough to have your own private pools but so many people in your electorate are low income, aged and disabled and rely on the pool as a means to exercise and enjoy time socialising that is affordable. I ask that you please provide a formal response?

Response:

According to the Department of State Growth's transport services web page, there are existing regular bus services which operate between Glenorchy and New Norfolk seven days a week and on public holidays.

Eighteen services depart Glenorchy for New Norfolk every weekday between 7.20am and 9.25pm, and there are 17 services departing New Norfolk for Glenorchy every weekday between 6.30am and 8.26pm. There are a further 12 services departing Glenorchy for New Norfolk every Saturday between 8.41am and 8.41pm and 12 services departing New Norfolk for Glenorchy between 7.47am and 7.42pm. On Sundays and public holidays, there are nine services each way, departing Glenorchy between 9.30am and 6.20pm and departing New Norfolk between 8.32am and 5.13pm.

A ratepayer-funded shuttlebus would duplicate existing services and given there is already an operator servicing this route, there would likely be regulatory impediments to having another bus service.

Question on notice – Leeanne Rose, Glenorchy

Q1: As per my deputation of council meeting 28 September 2023 will the council ask the successful consultant who wins tender re Glenorchy War Memorial Pool site options to hold a workshop within its public consultation process with concerned public members from all Facebook groups and other concerned citizens to inform, debate, discuss and respectfully find solutions for the pool site? If yes, can council please provide the statement and questions from Dr Shane Gould dated 22 September 2023 called Dr Shane Gould and the purpose of a public swimming pool 22 September 2023.

Response:

Council is commissioning a study of long-term options for the pool site, which includes consideration of a redeveloped pool facility, and will include significant community consultation. The study will also provide cost-benefit analysis of options. This will include the consideration of the community benefits of a public swimming pool such as outlined in "Shane's suggestions" in the provided document.

As Council has previously outlined, Council would be more than happy to meet with Dr Shane Gould if she wishes to request this.

Question without notice – Deanne Gillie, Granton

Q1: How much money has Council made out of Revive? Is it leased to Revive and how much rent is being paid?

A: [Mayor]: Council leases the hydrotherapy pool to Revive, who sub-leases it to St Giles.

[Mayor]: The question was taken on notice.

Response:

Information on rental agreements, including lease fees, is commercial in confidence.

Question without notice – Janiece Bryan, Montrose

Q1: On the 2022-2023 Annual Report Land Sales Revenue is \$2.1 Million but Land Sales Expenditure is \$4.2 Million. To provide transparency for ratepayers, what has the \$4.2 million (twice as much as received for the land) been spent on? Is this spent on infrastructure for property developers as outlined in the binding partnership agreement with the State Government?

A: [Mayor]: This question was taken on notice.

Response:

This question appears to relate to Note 2.8 from the Annual Report, which is copied below.

Note 2.8	Net gain/(loss) on disposal of property, infrastructure, plant and equipment.		
	Proceeds of sale	2,159	300
	Write down value of assets disposed	(4,242)	(1,475)
	Disposal costs	(96)	(63)
	Total	(2,179)	(1,238)
Accounting policy			
Gains and losses on asset disposals			
The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.			

This section of the report (Note 2.8) does not only relate to land sales. The table shows the following:

- \$2.159M in proceeds from the sale of Council assets such as land, infrastructure, plant and equipment.
- \$96,000 in costs associated with disposing of the assets.
- The \$4.242M figure is the “written down value of assets disposed”. This figure represents the residual book value of all assets removed from Council’s asset register during the year. For example when a playground is replaced the old equipment that is removed is likely to still have a residual value, same as when a stormwater line is replaced, a building is replaced, or plant and vehicles are replaced. These assets usually still have a residual book value (i.e., fair value minus accumulated depreciation). From a pure accounting perspective, Written Down Value write-downs are recorded as a “loss” if the assets still had a book value. It does not represent expenditure on infrastructure.

With regards to transparency of land sales - the proceeds of all land sales, and any expenditure of those proceeds, are detailed in the Proceeds of Property Disposal report that is presented to Open Council Meetings annually after the end of the financial year. The last report was provided to the August 2023 Council Meeting, and a similar report will be provided in August or September 2024.

Question without notice – Michelle Smith, West Moonah

Q1: Will the Glenorchy City Council continue to support the Greater Glenorchy Plan, their Statement of Commitment on Housing and the Tasmanian Planning Scheme inner residential zoning for 8-10 Main Road, Claremont?

A: [Mayor]: The question was taken on notice.

Response:

The council will continue to support the Greater Glenorchy Plan and its Statement of Commitment on Housing.

The council will also administer the Tasmanian Planning Scheme in an ethical and transparent manner in accordance with the specific requirements in the Land Use Planning and Approvals Act 1993 (LUPAA) and the State Planning Provisions as follows:

Permit application that requires amendment of LPS:

1. A person who requests a planning authority under section 37 to amend an LPS may also, under this subsection –
 - (a) make an application to the planning authority for a permit, which permit could not be issued unless the LPS were amended as requested; and
 - (b) request the planning authority to consider the request to amend the LPS and the application for a permit at the same time.

2. An application for a permit under subsection (1) is to be in a form, if any, approved by the Commission.
3. **A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has –**
 - (a) notified the owner of the intention to make the application; or
 - (b) obtained the written permission of the owner under [subsection \(6\)](#) .
4. For the purposes of subsection (3) , a valid application is an application that contains all relevant information required by the planning scheme applying to the land that is the subject of the application.

Valid Application Requirements Under the State Planning Provisions:

6.1 Application Requirements

6.1.1 An application must be made for any use or development for which a permit is required under this planning scheme.

6.1.2 An application must include:

- (a) a signed application form;
- (b) any written permission and declaration of notification required under s.52 of the Act and, if any document is signed by the delegate, a copy of the delegation;
- (c) details of the location of the proposed use or development;
- (d) a copy of the current certificate of title for all land to which the permit sought is to relate, including the title plan; and
- (e) a full description of the proposed use or development.

6.1.3 In addition to the information that is required by clause 6.1.2, a planning authority may, in order to enable it to consider an application, require such further or additional information as the planning authority considers necessary to satisfy it that the proposed use or development will comply with any relevant standards and purpose statements in the zone, codes or a specific area plan, applicable to the use or development.

The Glenorchy Planning Authority will consider the application for 8-10 Main Road Claremont at its meeting on 13 December 2023.

Question without notice – Paul Campton, Claremont

Q1: In preparing the amendment recommendation for 8-10 Main Road, were Council officers concerned about the lack of information in the Traffic Report on sight distances, the incorrect measurements, lack of detail, missing of key measurements and the reference to the site frontage as being on Westbury Road in Launceston page 16?

A: [Mayor]: The question was taken on notice.

Response:

The Council is still undertaking the assessment process. Council officers will make a recommendation to Council based on their analysis of the level of compliance of the proposal with planning scheme and legislative requirements.

Question without notice – Pauline Elliott, Claremont

Q1: Is the council aware that the developers or owners of 8-10 Main Road did not get the permission or authorisation of the Environmental Engineers who prepared the Environment Assessment Report to use it in their development application?

A: [Mayor]: The question was taken on notice.

Response:

The Council was not aware, but that is a matter between the developers, owners and the consultants.

Q2: Is the Council aware that the Environmental Engineer had tried to contact the owners to find out what was happening about the report being used in the Development Application and that the Environmental Engineer stressed the report was a snapshot in time and not able to be applied to different circumstances or has council been misinformed about the status of this report?

A: [Mayor]: The question was taken on notice.

Response:

No, the Council was not aware of the actions of the Environmental Engineer in respect of the owners. Council will assess the submitted report on its merits.

Question without notice – Ron Collidge, Claremont

Q1: [On behalf of David Kernke]: In preparing the recommendation for 8-10 Main Road, were Council officers concerned about the lack of information in the Acoustic Report on tonal noise from roof fans, trucks leaving motor and compressors running, lack of explanation for calculations, how they were derived and the missing data sets?

A: [Mayor]: The question was taken on notice.

Response:

The Council is still undertaking the assessment process. The Council officers will make a recommendation to Council based on their analysis of the level of compliance of the proposal with planning scheme and legislative requirements.

Q2: Where in the Act does it stipulate that Council must accept an application?

A: [Mayor]: The question was taken on notice.

Response:

Section 40T (3) of the *Land Use Planning and Approvals Act* states:

A planning authority must not refuse to accept a valid application for a permit, unless the application does not include a declaration that the applicant has

(a) notified the owner of the intention to make the application; or

(b) obtained the written permission of the owner under subsection (6).

Question without notice – Leeanne Rose, Glenorchy

(Annual General meeting, Monday, 4 December 2023)

Q1: Will the Council undertake to use the advice from Shane Gould re: the true value of the swimming pool, as part of the process to investigate the future of the pool?

A: [Mayor] The question was taken on notice.

Response:

The council is commissioning a study of long-term options for the pool site, which includes consideration of a redeveloped pool facility, and will include significant community consultation. The study will also provide cost-benefit analysis of options. This analysis will include the consideration of the community benefits of a public swimming pool such as outlined in “Shane’s suggestions” in the provided document.

As Council has previously outlined, Council would be more than happy to meet with Shane Gould if she would like to discuss this. We welcome participation by a wide range of stakeholders in the community consultation process.

Question without notice – Mala Crew, Glenorchy

(Annual General meeting, Monday, 4 December 2023)

Q1: Why has Council not highlighted the pool in its Future Directions survey for 2024-25?

A: [Mayor] The question was taken on notice.

Response:

The Future Directions Survey is an annual survey that provides an opportunity for community members to share their thoughts about the Council’s future direction and budget priorities for the following financial year.

The survey lists a range of service areas (including recreation facilities and public open space) for people to prioritise and provide free form comments on.

For those who do not wish to register to take the full survey, there is also the opportunity to complete a “quick poll” where they can state their one wish for the future of Glenorchy.

Both the survey and the “one wish” quick poll provide opportunity for people to reference the pool or any other asset/program/service they would like to highlight.

Q2: Can Council include this in its Future Directions survey for 2024-25, or alternatively hold a referendum in this regard?

A: [Mayor] The question was taken on notice.

Response:

The 2024-25 Future Directions survey (and associated quick poll) has been open for several months and closes on 15 December. Given the closing date is next week, it is not viable to add an additional question at this stage. As noted above, the survey does provide options for people to provide comment on the pool or any other asset/program/service they would like to see prioritised.

Council is in the process of commissioning a study of long-term options for the pool site, which includes consideration of a redeveloped pool facility. This project will include significant community and stakeholder consultation, using a range of different methods to gather the views and ideas of a wide range of people in the Glenorchy community.

Elector polls (the local government version of a referendum) are very expensive, and the outcome is not binding on Council. The community consultation to be undertaken as part of the abovementioned project is considered to be a more meaningful and effective way for the community to help inform Council decision making about the future of the pool site.

Therefore, at this time, Council does not have any intention of conducting an elector poll.

Question without notice – Nicole Vout, Claremont

(Annual General meeting, Monday, 4 December 2023)

Q1: Can Council consider talks with Revive and St Giles to increase after-hours access to the hydrotherapy pool?

A: [Mayor] The question was taken on notice.

Response:

The hydrotherapy pool is formally leased to Revive who has partnered with St Giles to operate the hydrotherapy service. Council does not have control over the opening hours.

It is noted that hydrotherapy pools are not provided for recreational use, rather for the purpose of providing warm water therapy services under the direction of a medical professional, such as a physiotherapist.

Health service referrals for aquatic therapy should be taken up directly with St Giles as the service provider.

Q2: Can Council consider a shuttle bus to the Derwent Valley public pool?

A: [Mayor] The question was taken on notice.

Response:

According to the Department of State Growth's transport services web page, there are existing regular bus services which operate between Glenorchy and New Norfolk seven days a week and on public holidays.

Eighteen services depart Glenorchy for New Norfolk every weekday between 7.20am and 9.25pm, and there are 17 services departing New Norfolk for Glenorchy every weekday between 6.30am and 8.26pm. There are a further 12 services departing Glenorchy for New Norfolk every Saturday between 8.41am and 8.41pm and 12 services departing New Norfolk for Glenorchy between 7.47am and 7.42pm. On Sundays and public holidays, there are nine services each way, departing Glenorchy between 9.30am and 6.20pm and departing New Norfolk between 8.32am and 5.13pm.

A ratepayer-funded shuttlebus would duplicate existing services and given there is already an operator servicing this route, there would likely be regulatory impediments to having another bus service.

Q3: Can more detail be provided on why our lane ropes have been loaned out to New Norfolk Council?

A: [Mayor] The question was taken on notice.

Response:

Derwent Valley Council (DVC) approached Glenorchy City Council (GCC) seeking to purchase the Glenorchy Pool lane ropes, as their existing lane ropes are in very bad condition and not serviceable for the current season.

This request was declined because the future of the GCC pool is currently under review.

However, given the Glenorchy pool is not re-opening this season, GCC agreed to loan the lane ropes to DVC to support the provision of public aquatic recreation opportunities in the region.

This loan has been made under a formal Council resource sharing agreement, with the ropes on loan until May next year only (31 May 2024). Conditions on the loan include that there are no costs to GCC rate payers, and the ropes must be returned in the same condition, i.e., DVC are responsible for any damage, repairs or replacements.

Question without notice – Tracey Smith, Glenorchy

(Annual General meeting, Monday, 4 December 2023)

Q1: Will the Council consider having a public meeting with the community to discuss the pool?

A: [Mayor] The question was taken on notice.

Response:

Council is in the process of engaging a consultant to look into future options for the pool site, including redeveloping the pool facility. The scope of this project is to include extensive community consultation to inform those decisions, and any interested party is encouraged to take up the opportunity to participate in that process. Accordingly, as a consultant will soon be appointed to conduct the investigation and associated consultation activities, Council does not believe it is productive to hold a further public meeting at this time.

6. PUBLIC QUESTION TIME (15 MINUTES)

Question on notice – Leeanne Rose

(received Monday, 11 December 2023)

Q1: On the 28th August 2023 Council meeting, I asked council to come together as the community did in the 1960s and identify this war memorial facility as a place of significant local heritage value in accordance with your local planning scheme processes.

You advised that this process had been initiated already. Can you please provide the Glenorchy community with information as to how the matter is progressing to date please?

A: The Tasmanian Heritage Council had received an independent third-party nomination to have the Glenorchy War Memorial Pool (pool) listed as a site of State Heritage Significance.

The Tasmanian Heritage Council assessed the pool site and found it did not meet the thresholds for listing as a site of State Heritage Significance.

Independent to this, the council has commissioned a report assessing the pool as a site of Local Historic Significance. The findings of this study will be included in, and considered as part of, the investigation of pool redevelopment and other options project that is currently underway.

Question without notice – Clare Lond-Caulk, Collinsvale

Q1: Can you confirm that the people working at the Glenorchy pool today were not re-draining the pool?

A: [Director of Infrastructure and Works] The people working at the pool were draining the water out of the pool due to complaints received about the water stagnating and smelling and concerns about mosquitos breeding in the water.

Q2: Has GCC put a bid into the State Community Budget submission process?

A: [Mayor] Council is preparing a Community Budget submission. We have been in communication with Treasury officials to let them know it is coming. It contains a number of projects that were endorsed by Council at the November Council meeting.

Question without notice – Deanne Gillie, Granton

Q1: Do the Alderman have access to look at leases, etc?

A: [General Manager] Yes.

Q2: Does the Council now have a Building Completion Certificate and when did that happen?

A: [Mayor] Yes GCC does have a Building Completion Certificate and all of the issues you mentioned have been rectified and we have a regular agreement with Revive for a rental amount.

Question without notice – Mala Crew, Glenorchy

Q1: What is the contribution to the Commercial Kitchen?

A: [Mayor] We are at this stage not required to provide a contribution to the Commercial Kitchen, however we do provide an in kind contribution to the operation of the MCOT annually in the form of foregone rent. We allow the use of the building in kind as a contribution to the operation of the Multi-cultural Hub and that is what is reported in our Annual Report, annually.

[General Manager] We provide a more specific in kind contribution from a design perspective.

[Mayor] We provide a project management contribution.

[Director Infrastructure and Works] Confirming that we provide an in kind contribution to the design process and development application of approximately \$800.00.

Q2: Could it be public knowledge as to how much Council has invested in this investment account and where it has come from and how it has provided an income to the Council? I would like a profit and loss statement.

A: [Mayor] This was answered at last meeting.

[General Manager] In terms of the investment account, Council funds its operations. It receives rates and other charges. Any excess we have is invested. We maintain a current account and any excess is invested in an investment account spread across a number of financial institutions.

[Director Community and Corporate Services] It is invested in several banks in accordance with the Council approved Investment Policy. We retain a small portion to maintain our operation for 3 months. Any interest is shown in our Profit and Loss statements. Investment information is public knowledge as it is disclosed in the City of Glenorchy's Annual Financial Report contained in the Annual Report which is audited by the Tas Audit Office.

Notes:

2.6 Interest Earned

4.1 Current Assets - Cash and Cash Equivalents

4.3 Investments (Cash)

9.9 (a) Interest Rate Risk (shows the average interest rate earned on Cash Investments for the year.

Question without notice – Feras Shaheen, Moonah

Q1: Is Glenorchy City Council prepared to support the Palestinian and Arab community in Glenorchy, Hobart and the rest of the world by calling for an immediate, permanent ceasefire?

A: [Mayor] The question was taken on notice.

Question without notice – Leeanne Rose, Glenorchy

Q1: Will Council take measures to ensure public are safe in areas where there is broken glass and rubbish, including at Windermere Beach and take a risk assessment of all areas that people might go for a swim?

A: [Mayor] The question was taken on notice.

Q2: Where specifically in the 50 metre pool was it leaking 300,000 (sic) litres of water a day (e.g., the lining, the mastic seal, the pipes or the pump) and where was the water running to?

A: [Mayor] I am sure this question has been answered before.

The question was taken on notice.

Question without notice – Eddy Steenbergen, Rosetta

Q1: Councillors declare at Council meetings their conflicts or pecuniary interests, however I have never heard a reason given by anyone for that declaration, or not even any indication to the type of issues behind the declaration. Can you tell me why?

A: [Mayor] The *Local Government Act 1993* requires Elected Members to complete a form when they declare an interest. A question on that form is to describe the nature of the interest. Those forms are filed and kept, and available in a public register.

Q2: Can any light be shed on the recent Glenorchy Planning Authority meeting (13 December 2023) where 4 Councillors declared an interest?

A: [Mayor] Those Elected Members completed a Declaration of Interest and described the nature of the interest on that form. That information is available on request for members of the public to access.

Question without notice – Paul Campton, Claremont

Q1: If McDonald’s appeals the decision regarding 8 to 10 Main Road, Claremont, will Council be defending their decision in the Tasmanian Planning Commission?

A: [General Manager] In relation to an amendment, if it occurs, we would be likely to defend our original position.

Q2: Will Council be informing interested residents if McDonald’s do appeal the decision so residents can support the Council’s decision and the Tasmanian Planning Commission?

A: [General Manager] It’s a public event, so I wouldn’t see any problem with informing residents. As to whether or not residents have standing in that process, I do not know the answer to that. It is more a question for the Tasmanian Planning Commission if and when it occurs.

My understanding of the process is that the proponent can apply to the Tasmanian Planning Commission for a review of the process by which the Council came to its decision. It is not a merit based review.

Question without notice – Pauline Elliott, Claremont

Q1: In reference to the upcoming motion regarding the composition of the Glenorchy Planning Authority, what is the size of the Hobart City Councils planning committee and what is the rationale behind whatever size it is and how often does it meet?

A: [Mayor] The question was taken on notice.

Question without notice – Tracey Smith, Glenorchy

Q1: What is the timeframe for releasing your Annual Report before the Annual General meeting?

A: [General Manager] From memory it is 14 days.

Q2: Can you tell me did you release your Annual Report within 14 days of the Annual General meeting and if not, why not?

A: [Mayor] The question was taken on notice.

Yes we did.

Section 72 of the *Local Government Act 1993* requires the availability of the report to be advertised in a daily newspaper circulating in the municipal area together with an invitation to electors to lodge submissions on the report with the council for discussion at its Annual General meeting. However, no time frame is stipulated.

Section 72B requires the Council to publish a notice in a daily newspaper setting out the date, time and place of the Annual General meeting and Council cannot hold the Annual General meeting before 14 days after the notice is published.

The Annual General meeting was advertised in The Mercury on Saturday, 18 November 2023.

The Annual Report was published on Council's website on Monday, 20 November 2023.

Q3: If you cannot release your report within 14 days, would you consider deferring your Annual General meeting?

A: Potentially, but there is a requirement in the *Local Government Act 1993* to hold the Annual General meeting by 15 December, annually. We try not to breach our legislative requirements either way.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

Community Goal – Making Lives Better

8. ACTIVITIES OF THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive an update on the recent activities of the Mayor.

Resolution:

KENDALL/ALDERTON

That Council:

1. RECEIVE the report about the activities of Mayor Thomas during the period from Monday, 20 November to Sunday, 10 December 2023.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

9. CONSIDERATION OF ANNUAL GENERAL MEETING MOTIONS RE: GLENORCHY WAR MEMORIAL POOL

File Reference: Glenorchy War Memorial Pool

Reporting Brief:

To consider a range of motions adopted by the majority of electors present at the Annual General Meeting (AGM) on 4 December 2023 relating to the Glenorchy War Memorial Pool (Glenorchy Pool).

Resolution:

SLADE/KING

That Council:

1. RECEIVE and NOTE the following Motions passed by a majority of electors at the Annual General Meeting on 4 December 2023 from the following electors:

- a. Angela Strk/Tracey Smith:

Council takes necessary action to preserve the structural integrity of the current pool shell so that, if obtaining funding for a redeveloped pool failed, repair might be the best option for the current pool.

- b. Natalie Larter on behalf of Sally Hill/Nicole Vout

That Council:

1. *DEFER a decision on awarding the consultancy tender (which excludes the option to repair/maintain existing pool) in order to 'explore all options'.*
2. *ORGANISE further investigation and analysis of the main pool shell structure to extrapolate the expected life remaining of the current pool shell as recommended in the Lacus Report.*
3. *INVESTIGATE the option of borrowing water from Clarence Pool which is required to be emptied for 'critical maintenance' to help maintain integrity of the Glenorchy War Memorial Pool shell as the Lacus report advises an empty pool shell will damage/destroy the pool.*
4. *UNDERTAKE the urgent repairs in the Lacus Report, to enable the re-opening of the Glenorchy War Memorial Pool for the community.*

- c. Marla Crew/Nicole Vout

Council INCLUDE information on the Pool to be highlighted in our Future Directions survey 2024-25 or that Council hold a referendum in this regard.

d. Janiece Bryan/Leeanne Rose

That Council:

- 1. REVIEW its current decision in relation to the closure of the Glenorchy War Memorial Pool at the end of the Belgravia Contract applicable from 10 September 2020 to 9th September 2022. The Contract included an option for extension (Annual Report 2020-21 Page 59).*
 - 2. RESOLVE to carry out the four urgent repairs as detailed in the Lacus Report using funds from the DEC sale as promised for Community Projects.*
 - 3. RESOLVE to continue the project to scope a more substantial review of the pool including a chemical analysis of the pool shell and concrete to accurately determine the life expectancy of the pool.*
 - 4. RESOLVE to undertake a review of the pool's wide-ranging health and social benefits to the whole population in this municipality and southern Tasmania and the impact the closure of the pool is having on the community without local access to water-based recreation.*
 - 5. RESOLVE to develop and implement plans and strategies to continue to provide a public pool at this site in Glenorchy to cater for the long-term requirement for water-based recreation whilst leaving the pool operating.*
 - 6. RESOLVE to formulate and submit well-researched, comprehensive applications for State and Federal funding including input from state and federal Departments of Health and other 'learn to swim' supportive persons and organisations such as Shane Gould AM MBE, Swim Australia, Royal Life Saving Australia etc.*
2. After due consideration, NOT SUPPORT the motions and focus on progressing contract 953 - investigation into pool redevelopment and alternative options 2a Anfield Street Glenorchy, to ensure that the whole community can engage and have a say in the pool redevelopment or alternative options for the site.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

ENVIRONMENT

Community Goal – Valuing our Environment

10. CONSIDERATION OF ANNUAL GENERAL MEETING MOTION RE: NON-RESIDENTIAL DEVELOPMENT AT 8-10 MAIN ROAD, CLAREMONT

File Reference: 8-10 Main Road, Claremont

Reporting Brief:

To consider a motion moved by Mr Paul Campton and passed at the Annual General Meeting (AGM) on 4 December 2023 relating to non-residential development at 8-10 Main Road, Claremont:

Resolution:

SLADE/YAXLEY

That Council:

1. RECEIVE and NOTE the Motion put by Mr Paul Campton and passed by a majority of electors present at the 4 December 2023 Annual General Meeting that:

The Glenorchy City Council continue to support the Greater Glenorchy Plan, their Statement of Commitment on Housing and the Tasmanian Planning Scheme inner residential zoning for 8-10 Main Rd Claremont and refuse to support any Development Application, nor changes to Local Provisions Schedule, for non-residential use at that site.

2. After due consideration, NOT SUPPORT the motion due to it being inconsistent with Council's lawful obligations to act in accordance with the *Land Use Planning and Approvals Act 1993*, specifically s. 37 - Request for amendment of local provisions schedules (LPS), s. 40T - Permit application that requires amendment of LPS, and s. 48 - Enforcement of observance of planning schemes.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal – Leading our Community

11. CONSIDERATION OF ANNUAL GENERAL MEETING MOTION RE: PLANNING AUTHORITY COMPOSITION

File Reference: Glenorchy Planning Authority

Reporting Brief:

To consider the motion moved by Ms Pauline Elliott and passed by a majority of electors at the Annual General Meeting (AGM) on 4 December 2023 that Council:

DEFER highly contentious issues, such as removing land designated for housing and changes to allow prohibited uses, or where there are 5 or more representations, to the full Council.

Report in detail:

The Motion

The motion states that ‘...*highly contentious issues, such as removing land designated for housing and changes to allow prohibited uses, or where there are 5 or more representations...*’ are deferred to the full Council.

Requirement to consider AGM motions at next Council meeting

Under s. 72B(6) of the *Local Government Act 1993*, a motion passed at an Annual General Meeting is required to be considered at the next meeting of the Council.

Resolution:

SLADE/KING

That Council:

1. RECEIVE and NOTE the Motion put by Ms Pauline Elliot and passed by a majority of electors at the Annual General Meeting on 4 December 2023, that Council:

DEFER highly contentious issues, such as removing land designated for housing and changes to allow prohibited uses, or where there are 5 or more representations, to the full Council.

2. After due consideration, NOT SUPPORT the motion as it would not produce any tangible benefits to the development approval processes for the reasons set out under "Consideration" this report.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Cockshutt, Yaxley and Slade,
Councillors Kendall and Quick

AGAINST: Aldermen Hickey and Alderton

The motion was CARRIED.

12. PROPOSED LEGISLATIVE CHANGES - MANAGING ELECTED MEMBER CONFLICTS OF INTEREST

File Reference: Governance

Reporting Brief:

The State Government is proposing changes to legislation to clarify certain aspects of an Elected Member's duty to manage conflicts of interest. This report presents the State Government's proposed changes for your review and a response for Council endorsement.

Resolution:

KENDALL/SLADE

That Council:

1. RECEIVE and NOTE the State Government Report and Ministerial letter on managing conflicts of interest included as Attachments 1 and 2;
2. MAKE a submission to the Minister for Local Government in the terms set out in Attachment 3.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

13. OBLIGATIONS ARISING FROM THE CHILD AND YOUTH SAFE ORGANISATIONS ACT 2023

File Reference:

Governance

Reporting Brief:

This paper is to brief the Council on new mandatory requirements arising from the enactment of the *Child and Youth Safe Organisations Act 2023* (the Act).

Resolution:

SLADE/KING

1. That Council RECEIVE and NOTE the attached report regarding the *Child and Youth Safe Organisations Act 2023*.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

14. FINANCIAL PERFORMANCE REPORT TO 30 NOVEMBER 2023

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide Council with the monthly Financial Performance Report for the period ending 30 November 2023.

Resolution:

DUNSBY/YAXLEY

That Council:

1. RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 30 November 2023 as set out in Attachment 1.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

15. PROCUREMENT AND CONTRACTS EXEMPTIONS REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of a procurement exemption under Council's Code for Tenders and Contracts.

Resolution:

YAXLEY/DUNSBY

That Council:

1. RECEIVE and NOTE the exemption approved by the Director Community and Corporate Services for the continued use of Seek to advertise Council's job vacancies. The expenditure totals \$56,577 excluding GST for the 2023/2024 year, and
2. RECEIVE and NOTE the exemption approved by the Director Infrastructure and Development for the additional water filled barriers for emergency works at McGill Road. The expenditure totals \$16,900 excluding GST.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

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

16.1. NOTICE OF MOTION - SINGLE USE PLASTICS

File Reference: Waste Management Strategy for Tasmania

Reporting Brief:

To provide advice on the potential introduction of a single use plastics ban in the Glenorchy municipal area.

Recommendation:

That Council:

1. RECEIVE and NOTE the attached report on how to remove single use plastics from the City of Glenorchy.
2. WRITE to the State Government to reinforce Glenorchy City Council's support for the State Government's commitment to introduce legislation to phase out problematic single-use plastics by 2025.

Resolution:

HICKEY/COCKSHUTT

That Council:

1. RECEIVE and NOTE the attached report on how to remove single use plastics from the City of Glenorchy.
2. WRITE to the State Government to reinforce Glenorchy City Council's support for the State Government's commitment to introduce legislation to phase out problematic single-use plastics by 2025.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillor Kendall

AGAINST: Councillor Quick

The motion was CARRIED.

Resolution:

KING/ALDERTON

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 Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

The meeting was closed to members of the public and the live stream was terminated at 5:16pm.

CLOSED TO MEMBERS OF THE PUBLIC

Closed session commenced at 5:19pm.

17. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

SLADE/DUNSBY

That the minutes of the Council meeting (closed meeting) held on Monday, 27 November 2023 be confirmed.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton, Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

18. APPLICATIONS FOR LEAVE OF ABSENCE

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

Resolution:

SLADE/COCKSHUTT

That the meeting be moved back into open Council.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Alderton,
Yaxley and Slade, Councillors Kendall and Quick

AGAINST:

The motion was CARRIED.

The Chair closed the meeting at 5:21pm.

Confirmed,

CHAIR