

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 21 December 2020 at 6.00 p.m.**



NOTE: Due to social distancing restrictions around COVID-19 members of the public were not permitted to attend the meeting. The meeting was live-streamed for members of the public on Council's Facebook page.

Present (in Chambers): Alderman Kristie Johnston (Mayor)

Present (by video link): Aldermen Bec Thomas (Deputy Mayor), Peter Bull, Melissa Carlton, Jan Dunsby, Simon Fraser, Steven King, Gaye Richardson, and Angela Ryan.

In attendance (in Chambers): Tony McMullen (General Manager), Bryn Hannan (Executive Officer)

In attendance (by video link): Jenny Richardson (Director Corporate Services), David Ronaldson (Director Community and Customer Service), Sam Fox (Director Strategy and Development), Ted Ross (Director Infrastructure and Works), Tina House (Manager Finance and ICT), Tracey Ehrlich (Manager Corporate Governance), Erin McGoldrick (Manager City Strategy and Economic Development), Robbie Shafe (Manager Customer Services), Allison Coombe (Acting Manager Property, Environment and Waste), (Marian Maclachlan (Executive Assistant to the General Manager)

Leave of Absence:

Workshops held since last Council Meeting

Date: Monday, 7 December 2020

Purpose: To discuss:

- Glenorchy District Football Club – Lease negotiations

Date: Monday, 14 December 2020

Purpose: To discuss:

- Playspace Strategy objectives
- Aldermen Q&A session

The peak number of viewers watching the live stream of the meeting on Facebook was 24.

The Chair opened the meeting at 6.07 pm.

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.

1. APOLOGIES

Alderman Sims.

2. CONFIRMATION OF MINUTES

Resolution:

RICHARDSON/BULL

That the minutes of the Council meeting held on Monday, 30 November 2020 be confirmed.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

The Chair noted what a difficult year 2020 has been and reflected on the work of Council and the community.

The Chair acknowledged and paid respect to the many members of our community had passed away during the year, and noted that many of those community members had worked very closely with Council.

The Chair noted that 2020 has also changed how we operate at Council and acknowledged the efforts of Council's staff to ensure that Council continued to provide essential services and be the focus point for our community during the disruptions caused by the COVID-19 pandemic.

The Chair acknowledged and thanked the amazing community groups that we have in our City which go above and beyond to provide assistance and services to our community and particularly our neighbourhood and community houses which have reached out and really made a difference during the COVID-19 restrictions.

Finally, the Chair acknowledged the people of Glenorchy for working together to make sure we come out the other side of the pandemic much stronger.

The Chair wished everyone a happy and safe Christmas and New Year period and noted that we were looking forward to a much brighter 2021.

4. PECUNIARY INTEREST NOTIFICATION

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

The General Manager declared an interest in Item 21 (General Manager's Annual Performance Review 2019-20).

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken on notice – Kaye Smith, Glenorchy
(received Monday, 30 November 2020)

Q1. Why, in the letters sent out to ratepayers, Council are not being fully up front with the ratepayer on their letter, when Council knew that a building surveyor on an original application was (a) Deceased and (b) deregistered but unknown to the Ratepayer?

A. To date, Council has completed around 6,000 reviews of building and plumbing permit files. As a result of the reviews, 1,750 letters have been sent to property owners who have un-finalised, expiring permits. Council officers cannot be expected to have up-to-date information on the status of all building surveyors associated with these un-finalised, expiring permits.

Q2. What recourse or alternative has a ratepayer been given when said Surveyor is no longer available and also would not have been practicing through no fault of the ratepayer, particularly after already having paid the surveyor for a particular job?

A. The onus is on the applicant or practitioner to finalise permits. Unfortunately, some property owners have needed to engage alternative practitioners to enable them to finalise expiring permits.

Q3: Is Council aware that a building surveying company that ‘took over’ a deceased surveyors accounts are now charging a massive amount of money (abt \$700) to go back through their books to ascertain what work and what forms had or had not been presented to Council?

A. Council is not aware of this.

Q4: What contact has Council made with the State Government in regards to their files that have not been diligently followed through by council over a period of up to 20 years and therefore will be adding a huge extra burden to their ratepayers?

A. Council has engaged with Consumer, Building and Occupational Services in the Tasmanian Government since the introduction of the amendments to the *Building Act*, highlighting the impact on our residents.

Q5: And if not, regarding Q4, why not?

A. See answer to question 4, above.

Q6: Ratepayers have already paid Council for their permits at the time of their Applications, why then are Council requesting a now inflated extra amount?

- A. Any fees collected by Council at the time of permit issue reflected the cost of completing the works within an expected two-year window. The retrospective amendment to the legislation has forced Council to incur significant costs to review historical records, notify owners and finalise the permits at today's costs. It would be unfair of Council to impose these additional costs on the whole community. Costs to finalise permits have been reduced as much as possible to reduce impact on affected property owners.

Q7: Given the very short time frame of requesting payments from Ratepayers, i.e. 31 December why can't these payments be deferred a little longer bearing in mind the burden of costs to families at Christmas?

- A. The deadline is set out under legislation and is therefore a matter for the Tasmanian Government. Council has no control over this deadline.

Q8: Given that a Ratepayer has already paid for surveying, are Council aware that the cost of a new Surveyor is at least another \$770?

- A. Council is aware that surveyors charge variously to complete surveying works but has no control over this. It is a matter for individual surveyors.

Q8: Have Council considered, in some instances where the, for instance, a single car garage and to all intents and purposes had been thought to be finalised and not of a large construction, having Council's own Building surveyor and or plumber look over a property and give advice as to whether a cost of hundreds of dollars is necessary to their ratepayers? And if not, why not?

- A. Council was the building surveyor for permits issued under the 1993 legislation. Council did not undertake building surveying work when the *Building Act 2000* was implemented in 2004. Council does not have the resources to undertake building surveying work for which it is not responsible.

Q9: Are Council aware of what other Councils are doing regarding help for their ratepayers in this matter? And if not why not?

- A. Glenorchy City Council has taken the proactive step of reviewing all of its files and writing to property owners affected by the change in legislation, who have expiring un-finalised permits associated with their property. Many Tasmanian councils are not notifying property owners of their expiring permits, with these property owners only likely to become aware of this issue when they seek to sell their property.

6. PUBLIC QUESTION TIME (15 MINUTES)

Questions on Notice – Janine Foley (received Monday, 14 December 2020)

Ms. Foley submitted an extensive list of questions relating to various historical matters and several relating to herbicide use.

The questions and supporting documentation provided by Ms Foley are included as **Attachment 1** to this agenda.

Matters relating to the historical dysfunction of Glenorchy City Council have been the subject of both a Board of Inquiry and an investigation (and report) by the Tasmanian Integrity Commission, both of which are publicly available. Council was subsequently issued with a set of directions by the Minister for Local Government in 2018 which directed various actions be taken to improve governance practices and address historical issues, all of which have now been fully addressed (save for ongoing reporting requirements) to the Minister's satisfaction. In view of the extensive investigations undertaken to date, and the considerable action taken by Council both before and after those directions were issued to address deficiencies in its governance, it would be an inappropriate use of Council resources to have officers undertake the considerable task of researching and providing answers to Ms Foley's questions about historical matters. Answers to those questions will therefore not be provided.

Council will also take Ms. Foley's questions relating to the use of herbicides in the municipality on notice and will provide information in response as soon as practicable.

Ms. Foley will instead be invited to meet with the Mayor and General Manager to discuss her concerns in-person.

7. PETITIONS/DEPUTATIONS

A petition submitted by Janiece Bryan of Montrose titled "Stop selling our car park (Regina/Barry St)", received on 15 December 2020 was tabled.

The petition will be dealt with at the next Council meeting, as required under Part 6 of the *Local Government Act 1993*.

COMMUNITY

Community Goal: "Making Lives Better"

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive an update on the recent activities undertaken by the Mayor.

Resolution:

BULL/RICHARDSON

That Council:

RECEIVE the announcements about the activities of the Mayor during the period from Tuesday, 24 November to Monday, 14 December 2020.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

9. GLENORCHY LEARN

File Reference: Glenorchy LEARN

Reporting Brief:

To update Council on the achievements of the Glenorchy LEARN committee over the past 2-years.

Resolution:

FRASER/RYAN

That Council:

1. RECEIVE and NOTE the attached report on activities of the Glenorchy LEARN Committee, and
2. NOTE that officers will review the Glenorchy LEARN Committee's terms of reference as a part of the broader Council Committees review process.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

ECONOMIC

Community Goal: “Open for Business”

10. BERRIEDALE PENINSULA MASTER PLAN

File Reference: Berriedale Master Plan

Reporting Brief:

To recommend that Council endorses the Berriedale Peninsula Master Plan, developed as part of the Economic Recovery Program, to inform future public and private development of the area.

Resolution:

RICHARDSON/BULL

That Council:

ENDORSE the Berriedale Peninsula Master Plan to inform future public and private development of the area, in the form of Attachment 1 with minor edits as required for publication.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

ENVIRONMENT

Community Goal: “Valuing our Environment”

11. WELLINGTON PARK MANAGEMENT TRUST - UPDATE AND NOMINATION OF COUNCIL REPRESENTATIVES

File Reference: Wellington Park Trust

Reporting Brief:

To provide an update to Council on the activities of the Wellington Park Management Trust (**Trust**), appoint a Member and Deputy Member to represent Council on the Trust, and note the Memorandum of Understanding (**MoU**) to continue Council’s support for the Trust.

Resolution:

CARLTON/DUNSBY

That Council:

RECEIVE and NOTE the information contained in this report around the activities of the Wellington Park Management Trust and the work jointly undertaken by Council and the Trust, including the draft Memorandum of Understanding in Attachment 1.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

The Mayor sought nominations for the vacant positions from the floor, noting that there had not been any nominations received for either the representative or deputy roles prior to the meeting.

Alderman Carlton nominated herself as Council’s representative. No other nominations were received.

KING/BULL

That Council:

APPOINT Alderman Carlton as its nominee for the member role on the Wellington Park Trust and a member of Council staff as its nominee for the deputy member role, with the recommendation that the nominee be Alex Woodward, Manager Property Environment and Waste.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

12. BUSHFIRE MITIGATION STRATEGY 2020-2030

File Reference: Bushfire Unit

Reporting Brief:

To recommend that Council endorses the *Glenorchy City Council Bushfire Mitigation Strategy 2020-2030* and note the funding requirements for consideration in future budgets.

Resolution:

FRASER/KING

That Council:

1. ENDORSE the draft *Glenorchy City Council Bushfire Mitigation Strategy 2020-2030*, and
2. NOTE the future priority consideration of funding requirements as part of 2021-22 budget process.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston,
Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal: "Leading our Community"

13. INFRINGEMENT DEBT COLLECTION

File Reference: Centralised Debtors Project

Reporting Brief:

To propose the implementation of an additional debt recovery process prior to unpaid infringements being lodged with the Monetary Penalties Enforcement Service.

Resolution:

BULL/THOMAS

That Council:

APPROVE the use of an external debt collection agency for recovery of unpaid infringements after initial Council action to recover the debt and before submission to the Monetary Penalties Enforcement Service.

Alderman Fraser left the meeting at 7:01 pm.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson and Carlton

AGAINST:

The motion was CARRIED.

14. FINANCIAL PERFORMANCE REPORT TO 30 NOVEMBER 2020

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the period ending 30 November 2020.

Resolution:

THOMAS/DUNSBY

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 30 November 2020 in the form of Attachment 1.

Alderman Fraser returned to the meeting at 7:09 pm.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

15. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of exemptions that have been applied to procurements under Council's Code for Tenders and Contracts for the period 17 November to 10 December 2020 and to provide updates on other relevant procurement matters.

Resolution:

DUNSBY/BULL

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 17 November to 10 December 2020.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston,
Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

16. UPDATED COUNCIL POLICIES

File Reference: Council Policies

Reporting Brief:

To present three updated policies to Council for adoption.

Resolution:

RICHARDSON/RYAN

That Council:

1. ADOPT the updated Street Lighting policy in the form of Attachment 2
2. ADOPT the updated Short-Term Parking Permits for Persons with a Disability policy in the form of Attachment 4, and
3. ADOPT the updated Fire Hazard Abatement Notice policy in the form of Attachment 6.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

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

Question without Notice - Alderman Dunsby

- Q.** In relation to the CBD revitalization project, I note there a maxi taxi bay has been installed in front of the main entrance to the Northgate Shopping Centre. Members of the public have asked if Council could consider making this parking bay multiple-purpose for people with mobility issues. Accessibility from the Northgate car park and access the City's major shopping centre for people with mobility issues is very poor.
- A.** The question was taken on notice.

17.1. NOTICE OF MOTION - ALDERMAN DUNSBY: DISABILITY-INDICATED PARKING IN GLENORCHY CBD

File Reference: Notice of Motion

Reporting brief:

To consider a notice of motion by Alderman Jan Dunsby submitted in accordance with the requirements of Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*.

Resolution:

DUNSBY/CARLTON

That the time allocated for parking on disability-indicated spaces in the Glenorchy Central Business District be increased to a minimum of one hour.

That the times that the limitation applies on disability-indicated spaces mirrors that of regular parking in the area.

Procedural motion:

The following procedural motion was moved under regulation 1(b) of the *Local Government (Meeting Procedures) Regulations 2015*.

THOMAS/FRASER

That the matter be deferred to the Council meeting being held on Monday, 25 January 2021.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

RYAN/KING

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 Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED

The meeting was closed to the public and the live stream on Facebook ceased at 7:28 pm.

The Chair adjourned the meeting for a short break at 7:28 pm.

CLOSED TO MEMBERS OF THE PUBLIC

18. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

BULL/RYAN

That the minutes of the Council meeting (closed meeting) held on Monday, 30 November 2020 be confirmed.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson, Fraser and Carlton

AGAINST:

The motion was CARRIED.

19. APPLICATIONS FOR LEAVE OF ABSENCE

None.

Alderman Bull advised that he would be apology for the January 2021 Council meeting.

GOVERNANCE

Community Goal: “Leading our Community”

20. AUDIT PANEL MINUTES

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

22. GLENORCHY DISTRICT FOOTBALL CLUB LEASE

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 (2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret) and (2)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of Council).

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

The General Manager and all staff left the meeting at 8:33 pm.

21. GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW 2019-20

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)(a) (Personnel matters, including complaints against an employee of the Council and industrial relations matters).

KING/FRASER

That Council move back into open Council.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Johnston, Richardson,
Fraser and Carlton

AGAINST:

The motion was CARRIED.

The Chair closed the meeting at 8:53 pm

Confirmed,

CHAIR