

**COUNCIL MEETING
AGENDA
MONDAY, 24 FEBRUARY 2020**



GLENORCHY CITY COUNCIL

Hour: 6:00 pm

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 3 February 2020

Purpose: To discuss:

- Community Yarns debrief
- 2020 Budget process
- Economic Development Strategy update – consultation and final draft

Date: Tuesday, 11 February 2020

Purpose: To discuss:

- Waste Management

Date: Monday, 17 February 2020

Purpose: To discuss:

- DEC / Wilkinsons Point Update

TABLE OF CONTENTS:

1.	APOLOGIES	3
2.	CONFIRMATION OF MINUTES (OPEN MEETING)	3
3.	ANNOUNCEMENTS BY THE CHAIR	3
4.	PECUNIARY INTEREST NOTIFICATION	3
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
6.	PUBLIC QUESTION TIME (15 MINUTES).....	4
7.	PETITIONS/DEPUTATIONS	4
	ECONOMIC	5
8.	GLENORCHY ECONOMIC DEVELOPMENT STRATEGY	6
	ENVIRONMENT	12
9.	REVIEW OF WASTE SERVICES POLICY.....	13
	GOVERNANCE	16
10.	APPOINTMENT OF ALDERMEN TO COMMITTEES	17
11.	QUARTERLY REPORT	24
12.	MID YEAR FINANCIAL PERFORMANCE REPORT	27
13.	PROCUREMENT AND CONTRACTS - MONTHLY REPORT	30
14.	NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE	35
	CLOSED TO MEMBERS OF THE PUBLIC	36
15.	CONFIRMATION OF MINUTES (CLOSED MEETING)	37
16.	APPLICATIONS FOR LEAVE OF ABSENCE.....	37
17.	NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)	37

1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 28 January 2020 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

Nil.

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

James Bryan - 14 England Avenue, Montrose

Q: Under the *Local Government Act* it is the responsibility of Aldermen to notify the Council in writing of any interests that they have declared at Council meetings and the responsibility of the General Manager to ensure that the interest is recorded in the minutes if the meeting and kept in a register. I've got a copy of the register of interests declared by the current Aldermen. I asked to view it and was offered it in an email. On a search of the minutes of Council meetings and extra or special Council Meetings, there appears to be 23 interest declarations by Aldermen. There are less than that on the register.

A: An answer will be provided in writing and tabled at the Council meeting.

6. PUBLIC QUESTION TIME (15 MINUTES)

Please note:

- the Council Meeting is a formal meeting of the Aldermen elected by the Glenorchy community. It is chaired by the Mayor
- public question time is an opportunity in the formal meeting for the public to ask questions of their elected Council representatives about the matters that affect ratepayers and citizens
- question time is for asking questions and not making statements (brief explanations of the background to questions may be given for context but comments or statements about Council's activities are otherwise not permitted)
- the Chair may permit follow-up questions at the Chair's discretion, however answers to questions are not to be debated with Council
- the Chair may refuse to answer a question, or may direct a person to stop speaking if the Chair decides that the question is not appropriate or not in accordance with the above rules
- The Chair has the discretion to extend public question time if necessary.

7. PETITIONS/DEPUTATIONS

ECONOMIC

Community Goal: “Open for Business”

8. GLENORCHY ECONOMIC DEVELOPMENT STRATEGY

Author: Manager City Strategy and Economic Development (Erin McGoldrick)

Qualified Person: Director Strategy and Development (Sam Fox)

ECM File Reference: Economic Development Strategy Project 2019/2020

Community Plan Reference:

Open for business

We will create a strong economy and jobs for the future. We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration. We will be a place where business can establish, continue and flourish.

Strategic or Annual Plan Reference:

Open for business

Objective 2.1 Stimulate a prosperous economy

Strategy 2.1.1 Foster an environment that encourages investment and jobs

Strategy 2.1.2 Build relationships with government and the private sector that create job opportunities for our communities

Action 2.1.2.01 Develop an Economic Development Strategy

Reporting Brief:

To present Council with the final *Glenorchy Economic Development Strategy 2020 – 2025* for endorsement.

Proposal in Detail:

Strategic context

Glenorchy is in increasing need of an economic development strategy.

Unemployment is increasing, especially among youth, and gross regional product has declined by 2 per cent over the past twelve months¹. Manufacturing remains Glenorchy's dominant sector yet employed only 65 additional workers over the five

¹ According to ABS Labour Force statistics, Glenorchy's unemployment rate for the 2019 March Quarter was 9.9%. This is compared to an unemployment rate in Tasmania of 6.7% and Australia 5.1% for the same period. Only Brighton Council has a higher unemployment rate (11.9) in Tasmania. Glenorchy has the second highest number of people receiving the Newstart Allowance in Tasmania, behind Launceston. Youth unemployment in the Greater Hobart area was recorded at 16.9% in March 2019.

years from 2013², while estimated population growth was almost 2,000 over the same period.

While Glenorchy's larger businesses and their effects on our economy are obvious, 95 per cent of the City's registered businesses employ less than 20 people. Small businesses are a key driver of growth and employment and supporting multiple small businesses can have a big impact.

Every person is involved in our economy, from our industrial producers to the smallest of businesses. An economic development strategy will tell the world what we do best, where we are growing and where we are going.

Council's role in economic development

Council undertakes economic development to drive growth and prosperity for the City and its residents, focusing on:

- People:
 - attracting talent to our City
 - providing quality places for people to live and work
- Productivity:
 - inviting investment
 - supporting business retention and growth, and
- Participation:
 - building our resident workforce.

Focusing on these areas means:

- the City's economy is more resilient to external shocks because our business communities are more networked and better supported
- local jobs are made more secure for the City's residents, as we are forecasting future demand for skills and building economic productivity across multiple sectors (to avoid single industry dependency)
- new investment is seized and existing investment is retained and increased, growing employment opportunities for the City's residents, and
- the population of the City is growing, spreading the rates burden across ratepayers.

Economic development strategy

² For comparison, the Health Care and Social Assistance sector experienced an increase of 462 workers over the same period, as a result of national economic trends associated with Australia's ageing population.

In 2015, following extensive community consultation, the Glenorchy community set the following goal:

We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration. We will be a place where business can establish, continue and flourish.

The *Glenorchy Economic Development Strategy 2020-2025 (the Strategy)* ([Attachment 1](#)) articulates the objectives and actions Council and its stakeholders may undertake to ensure Glenorchy is 'Open for Business' over the 2020 – 2025 period.

The Strategy also documents actions that align with State or Federal economic and growth policies to help partner organisations unlock funding for the benefit of the City and to connect businesses to various programs and support offered by the other levels of government.

Because economic development tends to be 'place based', councils are comparatively advantaged in the development of knowledge or industry clusters. Clusters are widely recognised as key drivers of growth, knowledge spill overs and areas of high productivity, as noted in the new *Tasmanian Trade Strategy 2019-2025*.

This 'placed based' approach will enable Council to target investment in infrastructure and services to help create attractive destinations and precincts for businesses, entrepreneurs, skilled workers and investors.

Without a strategy, Council's efforts in economic development are likely to be ad-hoc. Documenting the objectives and actions for Glenorchy in the Strategy creates a consistent foundation for Aldermen, the General Manager and officers of Council to advocate, facilitate, partner, support and lead economic growth and resilience in the City.

Consultation outcomes

Two significant phases of community engagement have informed development of the Strategy. In addition, Council's Aldermen have been consulted and participated in two Council workshops during the development of the draft Strategy, as well as approving the community consultation plan at the September Council meeting.

The first phase of community consultation occurred during September, October and November 2019. Its purpose was to:

- identify and articulate stakeholder understanding of the underlying gaps and opportunities inherent in the Glenorchy economy
- discuss and further develop opportunities for economic growth with key stakeholders
- establish an economic leadership group (EPIC³), and
- gather insights from throughout the Glenorchy and Tasmanian community about Glenorchy's economy.

³ EPIC is an acronym for Economic Participation Implementation Collaborator

Analysis of this extensive consultation with over 40 EPIC group stakeholders, and 20 one-on-one interviews resulted in identification of five strategic objectives;

- **Places**
We will improve our places to reflect who we are and encourage people to stay a while. Our welcoming City will include lively, connected hubs of activity that attract residents, visitors, businesses and investors.
- **People**
We will draw on our diversity and entrepreneurship to foster new businesses. We will support learning to ensure our people have the skills they need, for the jobs they want.
- **Partners**
We will strengthen partnerships to drive economic growth and innovation in our City. Our partners will share our vision and value our collaboration.
- **Pillars**
We will grow from our fundamental strengths; our land, natural and built assets, community, diversity and economy. We will make sure that what we have contributes to jobs and opportunities for businesses.
- **Pride**
We will build pride and confidence in our people and our economy. We will embrace who we are and show the world what we do well and where we are going. We will be the best versions of ourselves.

Fifty actions were then developed to deliver on these strategic objectives and drive growth in Glenorchy over the next five years.

The second phase of engagement occurred between December 2019 and January 2020 to obtain public input into the Strategy and to assist in prioritisation of objectives.

Broad public support encountered during both phases of engagement suggests that businesses and the community were generally satisfied with the objectives and actions in the Strategy. The only amendment was to remove specific reference to a potential hospitality training facility at the former Claremont College.

Next steps

Should Council endorse the Strategy, the EPIC group and other stakeholders will be notified and implementation planning for delivery of the Strategy by Council and partners will begin. Implementation planning will identify those projects for delivery within existing resources, identify actions for further development into business cases and seek external resourcing through grant/funding opportunities.

Officers will report on the Strategy's delivery progress every six months to Council and will review the Strategy annually with the EPIC group.

Consultations:

Internal Project Working Group with officers from all Council directorates
 Coordinator Community Development
 Director Strategy and Development
 Glenorchy City Council, Aldermanic Workshops
 Tasmanian Department of Premier and Cabinet
 Tasmanian Department of State Growth
 Tasmanian Department of Education
 Libraries Tasmania
 Drysdale Institute, TasTAFE
 Destination Southern Tasmania
 Regional Development Australia Tasmania
 Moonah Glenorchy Business Association
 MONA
 Migrant Resource Centre
 Glenorchy Art and Sculpture Park
 The Recovery Centre
 TasCOSS

Human Resource / Financial and Risk Management Implications:Financial

Implementation of priority actions will be undertaken within existing budget allocations. In addition, actions contained in the Strategy demonstrate strategic alignment and are likely to support external funding applications by Council and its partners.

Human resources

Adoption of the Strategy provides for greater focus for the activities of the existing Economic Development Officer role, making more efficient use of this position.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Ongoing liaison and communication with the EPIC group, stakeholders and partners identified within the strategy to ensure that the objectives and expectations of the Strategy are realised. Communication of initiatives led by other organisations and/or partnerships with Council.
The Glenorchy Economic Development Strategy is endorsed, creating an expectation that Council will deliver all of the actions in the next five years				
Do not adopt the recommendation	M	P	M	

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
The Glenorchy Economic Development Strategy is not endorsed, creating uncertainty in the business and investment community as to Council's economic development objectives and activities.				Continue to provide general investment and economic information to stakeholders or investors in an ad-hoc manner.

Community consultation and public relations implications:

Community consultation

Phase 1 – September to November 2019

- two stakeholder (EPIC) workshops in October 2019
- twenty stakeholder interviews between September and November 2019

Phase 2 – December 2019 – January 2020

- communication via GCC website, social media, radio and the Glenorchy Gazette
- public submissions open for four weeks
- public survey open for four weeks
- pop-up display at Northgate
- displays in Council Chambers and the Moonah Arts Centre.

Recommendation:

That Council:

ENDORSE the *Glenorchy Economic Development Strategy 2020-2025* in the form of Attachment 1.

Attachments/Annexures

- 1 Glenorchy Economic Development Strategy 2020 - 2025



ENVIRONMENT

Community Goal: “Valuing our Environment”

9. REVIEW OF WASTE SERVICES POLICY

Author: Director Infrastructure and Works (Ted Ross)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Waste

Community Plan Reference:

Valuing our Environment

We will value and enhance our natural and built environment.

Open for Business

We will create a strong economy and jobs for the future. We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration.

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Community and business leaders will be a key part of decision making, enabling the vision to become a reality. The community will be strongly engaged to play an active part in designing our future.

Strategic or Annual Plan Reference:

Making Lives Better

Objective 1.3 Facilitate and/or deliver services to our communities

Strategy 1.3.2 Identify and engage in partnerships that can more effectively deliver defined service levels to our communities

Valuing Our Environment

Objective 3.1 Create a liveable and desirable City

Strategy 3.1.4 Deliver new and existing services to improve the City's liveability

Leading our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the Community

Objective 4.2 Prioritise resources to achieve our communities' goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

The Waste Management Strategy adopted by Council in 2019 has a key action to consider the introduction of a food organics garden organics kerbside service.

Reporting Brief:

To recommend that Council adopts an updated version of its Waste Services Policy incorporating amendments to include the introduction of the new kerbside FOGO service (Food Organics Garden Organics).

Proposal in Detail:

The objective of Council's Waste Services Policy (**the Policy**) is to set out how Council will provide waste services to the community, the level of this service, responsibilities of the community and Council, and the setting of fees and charges.

Following the recent introduction of the FOGO kerbside service, and other developments in the waste services area, officers have carried out a review of the Policy to ensure that it is up to date.

The review has resulted in the following changes to the Policy:

- inclusion of particulars of Council's kerbside FOGO service
- a restructured format consistent with other Council policies
- removal of references to Council's landfill on the basis that it is outside the scope of the policy (which is focused on waste collection)
- added requirements for placement of bins and sorting and unacceptable waste types
- added a new clause about replacement bins
- reinstated criteria for Mobile Garbage Bin upgrades (which had previously been removed in an earlier version of the policy)
- removed the appendix "*Waste Services Guidelines for New Multiple Dwelling Developments*", and
- added definitions for clarity.

Consultations:

Director Infrastructure and Works
Waste Services Unit
Senior Legal Counsel

Human Resource / Financial and Risk Management Implications:Financial

There are no financial implications arising from the updates to the Policy. The Schedule of Fees and Charges, while referred to in the Policy, is managed as part of Council's annual budget process. Services such as kerbside services are managed on a full cost recovery basis (i.e. fees and charges pay for the cost of running the service).

Human resources

There are no material human resources implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation No risks identified				
Do not adopt the recommendation Confusion by the community on why FOGO is not included in the Waste Services Policy	Minor (C2)	Possible (L3)	Moderate	Attempt to manage confusion by providing detailed information on Council's website and other communication channels.

Community Consultation and Public Relations Implications:Community consultation

The amended Policy reflects the extensive engagement and ongoing communications undertaken as part of the roll out of the FOGO service.

Recommendation:

That Council:

ADOPT the updated Waste Services Policy in the form of Attachment 1.

Attachments/Annexures

- 1 Waste Services Policy - Updated



GOVERNANCE

Community Goal: “Leading our Community”

10. APPOINTMENT OF ALDERMEN TO COMMITTEES

Author: Executive Officer (Bryn Hannan)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Committees

Community Plan Reference:

Leading our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading our Community

- 4.1 Govern in the best interests of our community.
 - 4.1.1 Manage Council for maximum efficiency, accountability and transparency.
 - 4.1.2 Manage the City's assets soundly for the long term benefit of the community.
- 4.3 Build strong relationships to deliver our communities' goals.
 - 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes.

Reporting Brief:

To recommend that Council appoints Aldermen to fill the vacant committee and Audit Panel positions created as a result of the resignation of Ald. Matt Stevenson

Proposal in Detail:

Background

Following the resignation of Alderman Matt Stevenson, effective from 31 December 2019, positions have become vacant on the following Committees and Other Bodies:

- Glenorchy Planning Authority
- General Manager's Performance Review Committee, and
- Council's Audit Panel.

The vacancies on these committees are to be filled by following the process set out in Council's Committee Nominations and Appointments Policy (Attachment 1).

Notice to Aldermen calling for nominations

In accordance with clause 2 of the Policy, a Notice was circulated to Aldermen on 14 February 2020 (**Notice**) calling for Aldermanic nominations for each of the committees/other bodies listed above (Attachment 2).

Nominations received

The nominations received for the committees are set out in the following table:

Committee / Body	Positions Available	No. of nominees	Ballot Required?	Nominees
Glenorchy Planning Authority	1	1	No	Ald. Ryan
Audit Panel	1	1	No	Ald. Ryan
General Manager's Performance Review Committee	1	1	No	Ald. Thomas

Procedural Requirements

Because there is only 1 nominee for each committee position, ballots are not required to determine the nominees, and Council is to determine the appointments in accordance with its ordinary meeting procedures.

NOMINATIONS TO COMMITTEES

The following information about each committee is provided below, as required under the Policy:

- the information specified in clause 2(1)(b) of the policy, and
- a list of the nominations received for each committee and the statements provided by the nominees in support of each.

1. Glenorchy Planning Authority

Committee Information

Glenorchy Planning Authority	
Committee type	Council Committee (s. 23, <i>Local Government Act 1993</i>)
Committee composition	Mayor, 4 Aldermen
No. of Aldermanic positions available	1 committee member
Meeting frequency	Once a month
Ex-officio appointments	Mayor (Chairperson)
Proposed term of appointment	Duration of Council term

Glenorchy Planning Authority

Role and purpose of Committee	The Glenorchy Planning Authority is a Council Committee established to review applications and make determinations on statutory land use planning matters under the <i>Land Use Planning and Approvals Act 1993</i> and in accordance with the <i>Glenorchy Interim Planning Scheme 2015</i> .
Nature of duties to be undertaken	The duties of a committee member, including (but not limited to): • attending meetings of the committee, and • discharging the roles and functions of a planning authority under the LUPAA 1993 Members of the Glenorchy Planning Authority discharge a critical function of Council in assessing and determining planning permit applications for the municipality in accordance with statutory requirements.
Extent of delegated authority	Delegated power to determine those statutory land use planning matters listed on the Glenorchy Planning Authority meeting agenda.

Nominations Received

Council has received 1 nomination for the position available on the Glenorchy Planning Authority (**GPA**). The nominee is Alderman Ryan.

Alderman Ryan's statement in support of her nomination is as follows:

"I wish to nominate for membership of the Planning Authority. I believe my legal qualifications and legal experience will be valuable assets as a member of the committee. In particular, from a legal perspective, I am familiar with the relevant legislation and have had first hand experience with the objection and appeal process of planning applications, and conduct of matters before the Planning Appeal Tribunal. I therefore believe that I have an overall perspective of the work of the Planning Authority. I believe I will be able to make a contribution in service to the municipality and people of Glenorchy."

Recommendation

It is recommended that Alderman Ryan be appointed to the Glenorchy Planning Authority in accordance with clause 2(6) of the Policy.

2. Audit Panel

Committee Information

Audit Panel	
Committee type	Audit panel established under s. 85 of the <i>Local Government Act 1993</i>
Committee composition	2 Aldermen, 3 independent members
No. of Aldermanic positions available	1 committee member

Audit Panel

Meeting frequency	Not less than 4 ordinary meetings per financial year. There are 5 ordinary meetings and 1 special meeting of the Audit Panel scheduled for the 2018 calendar year.
Ex-officio appointments	n/a. Clause 7.3 of the Audit Panel Charter prevents the Mayor from being a member of the Audit Panel.
Proposed term of appointment	Aldermanic members of the Audit Panel hold office from the date of their appointment to the Audit Panel, until the termination or expiry (whichever occurs earlier) of their term as an elected Alderman (Audit Panel Charter, clause 9.5)
Role and purpose of Committee	Part 4 of the Audit Panel Charter (Charter) sets out the functions of the Audit Panel, as follows: 4.1 The Audit Panel is to consider in a review of Council's performance: (a) whether the annual financial statements of Council accurately represent the state of affairs of Council (b) whether and how the Part 7 plans are integrated and the processes by which, and assumptions under which, those plans were prepared (c) Council's financial system, financial governance arrangements and financial management (d) the accounting, internal control, anti-fraud, anti-corruption and risk management policies, systems and controls that Council has in relation to safeguarding its long-term financial position (e) whether Council is complying with the provisions of the Act and all other relevant legislation (f) whether Council is complying with its internal policies and procedures (g) whether Council has taken any action in relation to previous recommendations provided by the Audit Panel to Council and, if it has so taken action, what that action was and its effectiveness, and (h) any other matters specified in the Order under section 85B of the Act as matters that the Audit Panel is to consider in such a review. 4.2 The Audit Panel is to review the General Manager's corporate credit card expenditure including the relevance and integrity of transactions and the evidence of appropriate and independent authorisation of that expenditure. Part 5 of the Charter provides: 5.1 In fulfilling its functions, under Part 4, the Audit Panel should consider the following key operational areas within Council: (a) corporate governance, including legal, compliance, and contractual arrangements (b) human resource and work health and safety management, including policies, procedures and employee agreements (c) information and communication technology governance, including: management of the security, use and storage of data information and knowledge, and

Audit Panel

- (d) internal and external reporting requirements (both financial and non-financial).

Nature of duties to be undertaken

The duties of a committee member, including (but not limited to):

- attending meetings of the committee, and
- discharging the roles and functions of the committee.

In addition, clause 6.2 of the Charter provides that the responsibilities of Audit Panel members are as follows:

- (a) act in the best interests of Council
- (b) apply sound analytical skills, objectivity and judgment
- (c) express opinions constructively and openly, raise issues that relate to the Audit Panel's functions and pursue independent lines of enquiry, and
- (d) contribute the time required to review the papers provided.

Extent of delegated authority

The Audit Panel does not have any executive powers.

However, the Audit Panel has certain powers in respect to the conduct of meetings and discharging its functions, generally. These are set out in clauses 12.1, 13.4, 13.7, 14.4, 16.5, 16.6 and 16.7 of the Charter.

Nominations Received

Council has received 1 nomination for the position available on the Audit Panel. The nominee is Alderman Ryan.

Alderman Ryan's statement in support of her nomination is as follows:

"My nomination for this committee is in line with the Tasmanian Government Women on Boards Strategy, a policy initiative aimed at achieving gender parity on government boards and committees. Currently the Audit Panel has no female members. I believe that my legal qualifications and legal experience will allow me to make a valuable contribution to the Panel and its work, including in assessing compliance by Council of its obligations under any and all relevant legislation."

Recommendation

It is recommended that Alderman Ryan be appointed to the Audit Panel in accordance with clause 2(6) of the Policy.

3. General Manager's Performance Review Committee

Committee Information

General Manager's Performance Review Committee

Committee type

Council Committee (section 23 of the Act)

Committee composition

Mayor, 2 Aldermen

No. of Aldermanic positions available

1 committee member

General Manager's Performance Review Committee

Meeting frequency	As required, but at least annually (typically once per quarter)
Ex-officio appointments	Mayor (Chairperson)
Proposed term of appointment	Duration of Council term
Role and functions of Committee	To review the performance of the General Manager on an annual basis and make recommendations to Council.
Nature of duties to be undertaken	The duties of a committee member, including (but not limited to): • attending meetings of the committee, and • discharging the roles and functions of the committee.
Extent of delegated authority	No delegated authority.

Nominations Received

Council has received 1 nomination for the position available on the General Manager's Performance Review Committee (**GMPRC**). The nominee is Alderman Thomas.

Alderman Thomas' statement provided in support of her nomination is as follows:

"I have experience in managing the performance of employees through various roles in State Government, including developing and monitoring performance plans, considering training and development needs and ensuring employee behaviour aligns with organisational values.

I understand the importance of setting KPIs that align with organisational plans and strategies and implementing a performance review schedule that aligns with the review and evaluation schedule for these plans. It is also crucial that these KPIs are set in collaboration with the General Manager.

As Deputy Mayor, I am committed to supporting the Mayor and my fellow Aldermen in monitoring the performance of the General Manager as a GMPRC member."

Recommendations

It is recommended that Alderman Thomas be appointed to the General Manager's Performance Review Committee in accordance with clause 2(6) of the Policy.

Recommendation:

That Council:

1. NOTE that a single nomination was received for each of the vacant positions on the Glenorchy Planning Authority, Audit Panel and General Manager's Performance Review Committee respectively, and
2. APPOINT the nominees to the vacant committee positions as follows:
 - (a) Alderman Ryan to the Glenorchy Planning Authority
 - (b) Alderman Ryan to the Audit Panel, and
 - (c) Alderman Thomas to the General Manager's Performance Review Committee,for the remainder of the current Council term.

Attachments/Annexures

- 1 Committee Nomination and Appointment Policy



- 2 Notice of Policy Nominations



11. QUARTERLY REPORT

Author: Executive Officer (Bryn Hannan)
Reporting Officer (Allan Wise)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Corporate Reporting

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1	Govern in the best interests of our community
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Action 4.1.1.01	Monitor Council expenditure and drive efficiency across the organisation
Action 4.1.1.02	Develop and monitor Council's Budget, Long Term Financial Plan, Annual Plan and Annual Report

Reporting Brief:

To provide Council with the Quarterly Report for the quarter ending 31 December 2019.

Proposal in Detail:

The Quarterly Report for the period ending 31 December 2019 provides detail on Council's key strategic projects, strategic and key operational risks, core business activities, financial performance and forecasting and monitoring of Council's Annual Plan.

The Quarterly Report comprises the following:

- Quarterly Report (Attachment 1), and
- Quarterly Annual Plan Progress Report (Attachment 2).

The purpose of the report is to assist Council in its strategic oversight of Council operations and progress on implementation of the Council's Annual (Operational) Plan.

A further benefit of this reporting is that it helps to make Council's operations more transparent to the community.

Annual Plan Progress

The Annual Plan Progress Report currently records that all but 1 of the priority items are currently on-track. The only item currently tracking behind schedule is the commencement of extension works at the Jackson Street Landfill, which has been delayed while Council awaits sign-off of the Environmental Protection Notice issued by the Environmental Protection Authority. The goal is expected to be achieved before the end of the reporting period.

Financial Performance

At 31 December 2019 (**Quarter 2**), Council's operating result was \$1.853 million ahead of the budgeted position. This is an increase on the \$812,000 positive result reported at 30 September 2019 (**Quarter 1**).

A summary of the key financial indicators detailed in Attachment 1 is as follows:

Revenue

Revenue is \$404,000 (0.8%) above the budgeted position. The comparative result for Quarter 1 was only \$31,000 (0.1%) above budget. User fees continue to trend below budget and are unlikely to improve sufficiently to meet budget by 30 June 2020. Grants received to date currently compensate for this shortfall.

Expenditure

Expenditure is \$1.449 million (4.9%) below budget compared to the Quarter 1 result of \$781,000 (5.6%) below budget. Underspend in employee costs early in the financial year continues to be reflected in the financial report, as does an ongoing underspend in material and services across various programs.

Capital Works

Capital works expenditure is \$5.133 million against an annual budget of \$14.009 million, delivering approximately 37% of the program, compared to 15% at the end of Quarter 1. Current forecasts indicate that the capital works program will be completed in line with budget by 30 June 2020.

Consultations:

The Quarterly Report is compiled in consultation with the Directors of each area of Council, with Council's Finance section contributing the financial reporting content.

Annual plan progress reporting is undertaken by individual management team members for each of their allotted annual plan actions and vetted by Council's four Directors.

Human Resource / Financial and Risk Management Implications:

The Quarterly Report assists in Council's active risk management by monitoring and reporting on the progress of Annual Plan actions, major projects, key activities of Council and financial performance.

This enables Council to have oversight of the performance of the organisation, enabling informed decision-making and appropriate risk mitigation.

Community Consultation and Public Relations Implications:

Community consultation

As this is a report on the outputs and outcomes of Council services and activities, no community consultation was undertaken.

Public relations

There are no material public relations implications.

Recommendation:

That Council:

RECEIVE and NOTE Council's Quarterly Report and the Quarterly Annual Plan Progress Report for the quarter ending 31 December 2019.

Attachments/Annexures

1 GCC Quarterly Report - Q2



2 Annual Plan Progress Report - Q2



12. MID YEAR FINANCIAL PERFORMANCE REPORT

Author: Manager Finance and ICT (Tina House)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Finance

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1	Govern in the best interests of our community
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Action 4.1.1.01	Monitor Council expenditure and drive efficiency across the organisation
Action 4.1.1.02	Develop and monitor Council's Budget, Long Term Financial Plan, Annual Plan and Annual Report

Reporting Brief:

To provide the Mid-Year Financial Performance Review to Council for the seven months ending 31 January 2020, together with the forecast result for the financial year ending 30 June 2020.

Proposal in Detail:

The Mid Year Financial Performance Report (**Report**) to 31 January 2020 and forecast for the financial year ended 30 June 2020 is Attachment 1.

In summary, the Report highlights:

- a current favourable operating financial position at 31 January 2020 of \$20.619m, compared to the original budgeted position of \$18.057m representing a \$2.562m improved surplus position
- a forecast favourable operating financial position at 30 June 2020 of \$3.678m compared to the original budgeted position of \$806k, representing a \$2.872m improved surplus position
- current capital financial expenditure at 31 January 2020 of \$6.170m compared to the budgeted position of \$7.545m

- forecast capital financial expenditure at 30 June 2020 of \$14.123m compared to the budgeted position of \$14.009m.

In compiling the forecast result for the end of the year, a number of potential events have been factored in. Some of these events contribute directly to the forecast while others are included to provide advance notice they could potentially arise. Further information about these can be found in the Report, but in summary the potential events are as follows (**indicates that an allowance above budget has been included in the forecast result*):

- timing of receipt of Financial Assistance Grant
- Depreciation Methodology Contingency*
- 2018 Flood Damage Reimbursement
- Derwent Entertainment Centre Sale
- Employee Leave Provisions
- Assets Written Off / Loss on Disposal*
- KGV Redevelopment Issues
- Natural Disasters
- Workers Compensation Premium Adjustment*
- Land Sales*
- Donated and Found Assets*
- Expired Building Permit Project*
- End of Year Audit Adjustments*

Summary

The Report highlights a strong bottom-line position for both the year-to-date actual and end of year forecasts. However, the potential operational variables listed above (and detailed further in the Report) should be noted by Council as they may ultimately impact the end of year result, depending on whether they arise and their overall impact.

Council should also note that some of these variables contribute favourably in the current 2019-20 financial year but, because of their one-off or unpredictable nature, may have an unfavourable impact on development of the 2020/21 budget. Of particular note are the Flood Recovery Reimbursement (which only occurs this financial year and adds approximately \$1.2m to the budget) and Position Vacancies and Donated/Found Assets (both of which are liable to fluctuate from year to year).

As a result, Council must be mindful the 2019-20 forecast position cannot be directly translated into a similar 2020-21 budget position.

Consultations:

All Aldermen

General Manager

Executive Leadership Team

Chief Financial Officer

Capital and Operational Budget Responsibility Officers

Human Resource / Financial and Risk Management Implications:

Financial implications are set out in the body of this report and the attachment. Key risks are detailed below.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation The strong forecasted financial result at 30 June 2020 contains one-off items relevant only to that year. However, this may be interpreted as being of direct benefit in formulating the budget for the year ending 30 June 2021.	Minor (C2)	Possible (L3)	Moderate	The report explains in detail why particular items are included and how they impact the forecast result. It also contains a statement the 2019/20 forecast result does not directly translate into the 2020/21 budget.
Do not adopt the recommendation There may be a misunderstanding of the information presented in the report leading to a perception the Council lacks confidence in its forecast financial position	Moderate (C3)	Likely (L4)	Notable	To assist with understanding the financial position of Council, the report contains information in various formats including charts, tabular and commentary.

Community Consultation and Public Relations Implications:Community consultation

Not applicable.

Public relations

The report may create unrealistic expectations about Council's end of year result or any expected surplus in the 2020-21 budget. These expectations will be carefully managed through appropriate communication.

Recommendation:

That Council:

RECEIVE and NOTE the Mid-Year Financial Performance Report for the period ended 31 January 2020 and forecasted result for the year ended 30 June 2020.

Attachments/Annexures**1 Mid Year Financial Performance Review**

13. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

Author: Manager Corporate Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Procurement

Community Plan Reference:

Leading our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Strategic or Annual Plan Reference:

Leading our Community

- | | |
|----------------|---|
| Objective 4.1 | Govern in the best interests of our community |
| Strategy 4.1.1 | Manage Council for maximum efficiency, accountability and transparency |
| Strategy 4.1.2 | Manage the City's assets soundly for the long-term benefit of the community |
| Strategy 4.1.3 | Maximise regulatory compliance in Council and the community through our systems and processes |

Reporting Brief:

To inform Council of exemptions that have been applied to procurements under Council's Code for Tenders and Contracts for the period 15 January 2020 to 11 February 2020 and provide updates on other relevant procurement matters.

Proposal in Detail:

Exemption Report

Council's Code for Tenders and Contracts (**the Code**) has been made and adopted by Council as required under section 333B of the *Local Government Act 1993*.

Under clause 10.2 of the Code, the General Manager is required to provide a regular report to Council on exemptions that have been authorised to the procurement requirements under the Code. Clause 10.2 relevantly provides:

*In accordance with Regulation 28(j), the General Manager will establish and maintain procedures for reporting to Council **at the first ordinary meeting of Council after the event** in relation to the procurement of goods and/or services **in circumstances where a public tender or quotation process is not used**. Such report will include the following details of each procurement:*

- a) *a brief description of the reason for not inviting public tenders or quotations (as applicable);*
- b) *a brief description of the goods or services acquired;*
- c) *the approximate value of the goods or services acquired; and*
- d) *the name of the supplier.*

A copy of an extract from Council's Purchasing Exemption Register (**Exemption Report**), which is delivered to Council as required under clause 10.2 is Attachment 1 to this report.

Exemptions under the \$250,000 threshold

The Exemption Report covers the period from 15 January 2020 to 11 February 2020. There have been seven (7) exemptions approved for the period, accounting for \$312,535.66 in budgeted operational expenditure. The exemptions cover roadworks, remediation of damage from the 2018 floods, fire trail works, software and preparations for the Moonah Taste of the World event. The above amount was accounted for in Council's current 2019-20 budget.

Exemption over the \$250,000 threshold – Microsoft Licensing

Council approval is sought for an exemption to the requirement to conduct a public tender process for the purchase of Microsoft Licences for Council's information technology management systems.

Non-Application of Tender Process – Statutory Considerations

Section 333A(1) of the *Local Government Act 1993* (**the Act**) provides:

"a council must invite tenders for any contract it intends to enter into for the supply or provision of goods or services valued at or above the 'prescribed amount'"

The requirement for Council to carry out a tender process can be waived in certain circumstances by an absolute majority of Council. More particularly:

- s. 333A(3) of the Act provides that *"Subsection (1) [which sets out the requirement to invite tenders, as set out above] does not apply to prescribed situations or prescribed contracts"*
- The prescribed situations and contracts are set out in regulation 27 of the *Local Government (General) Regulations 2015* (**the Regulations**).
- Regulation 27 of the Regulations relevantly provides as follows:

"27. Non-application of public tender process"

The following situations and contracts are prescribed for the purposes of section 333A(3) of the Act...

- (i) *a contract for goods or services, **if the council resolves by absolute majority and states the reasons for the decision,***

being that a satisfactory result would not be achieved by inviting tenders because of –

...

(iii) the unavailability of competitive or reliable tenderers;”

Accordingly, if there is an ‘unavailability of competitive or reliable tenderers’ Council can resolve, by absolute majority, that the requirement to invite tenders should be waived.

It is submitted to Council that the justifications for waiving that requirement are as follows:

Unavailability of competitive or reliable tenderers

Council relies on, and requires licences to use, a comprehensive suite of Microsoft products essential to its day-to-day operations. Microsoft is the owner and sole provider of these products.

The products cannot be substituted for alternative products due to:

- technical reasons, including the interoperability and compatibility with the Council’s existing systems, and
- the absence of competition (for reasons related to the protection of patents, copyright and intellectual property rights) making Microsoft the sole supplier and licensor of the products.

Microsoft requires users to source the licences required to use its products through one (or more) of their Licensed Solution Providers (**LSPs**). The LSPs independently determine the fee charged by them for their services.

Microsoft will not contract directly with an end user. Hence, this exemption is sought solely for the purchase of the licences from Microsoft.

Council’s existing licence period is currently renewed on a monthly subscription. The cost of the monthly subscription is around \$193,000 per annum (equating to \$579,000 over 3 years as a comparison). Council is seeking to renew its Microsoft licences under a licensing contract for a three (3) year period. The contract will include additional cyber security and mobility capabilities for Council. The cost of these licences is estimated at \$560,000 over the three-year period.

In sourcing a suitable Licensed Service Provider, Council will seek quotations in accordance with its Code for Tenders and Contracts.

Expenditure on External Legal Services

For the month of January 2020, the total amount spent on external legal services for all of Council was \$2,785. This expenditure was largely due to a planning appeal filed against a Glenorchy Planning Authority decision in the Resource Management and Planning Appeals Tribunal.

Consultations:

Executive Leadership Team

Accounts Payable Supervisor

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The report identifies the following budgeted operational expenditure that has been approved during the reporting period:

- \$312,535.66 in budgeted operational expenditure
- an estimated contract value of \$560,000 (Microsoft licences) which will be expensed over three budget years from the 2020-21 budget, and
- \$2,785 on external legal services.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Council notes the reasons identified for the exemptions and satisfies itself that each is sound and in accordance with approved procedures.
Criticism of Council's acceptance of procurement process exemptions and associated expenditure.				
Do not adopt the recommendation	Moderate (C3)	Possible (L3)	Moderate	Council communicates reasons for refusal and identifies preferred practices and information required for future exemptions.
Council officers less likely to seek exemptions in accordance with approved processes, leading to business inefficiency and excessive administrative burden on staff and suppliers.				

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken. There is unlikely to be any material public relations impact.

Recommendation:

That Council:

1. RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 15 January 2020 to 11 February 2020
2. RESOLVE pursuant to Regulation 27(i) of the *Local Government (General) Regulations 2015* that a satisfactory result would not be achieved by inviting tenders for the purchase of Microsoft licences because of an unavailability of competitive or reliable tenderers, and
3. APPROVE Council entering into a contract and granting a procurement exemption for Microsoft licensing estimated at \$560,000 over 3 years from the 2020-21 and two subsequent budgets, after obtaining quotations in accordance with the Code for Tenders and Contracts.

Attachments/Annexures

- 1 Procurement Exemptions 15 January to 11 February 2020



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

Q. Does Council have a policy or protocol in place as to how to manage Rostered Days Off (RDOs) so as not to interrupt business and that the public is not inconvenienced and do we have a standardised communication procedure around RDOs?

A. The provisions around Rostered Days Off (RDOs) are set out in Clause 3.7 of Council's Enterprise Agreement, which provides as follows:

Clause 3.7 ROSTERED DAY OFF

3.7.1 The hours of work of full-time Employees are arranged in accordance with a Rostered Day Off (RDO) system.

3.7.2 The RDO system operates on a fortnightly basis.

3.7.3 Schedule A Employees work 75 hours (8.33 hours per day) for the first nine days of the fortnight with a RDO to be taken on the 10th day. Schedule B and C Employees work 76 hours (8.5 hours for 8 days and 8 hours for 1 day) for the first 9 days of the fortnight with a RDO to be taken on the 10th day.

3.7.3 Upon commencement the Employer shall advise the Employee which day the RDO is to be taken each fortnight. If due to operational requirements the Employer requires the Employee to change their RDO they shall be given 28 days notice.

3.7.4 Council will look at ways of making RDO's more flexible in order to better meet the needs of customers, the community, Council and Employees. Council will ensure appropriate customer service coverage for each work area.

3.7.5 When a public holiday occurs on a day on which an Employee is on their fortnightly RDO the Employee shall be entitled to a substitute day taken on the next business day unless an alternative agreement is reached in advance with the Employee's Supervisor or Manager.

Practically speaking, the task of managing RDOs falls to area supervisors (Coordinators, Managers and Directors). RDOs are timed to ensure that there is as little interruption to normal operations as possible. For example, if there are two officers performing similar roles, their RDOs will be scheduled to fall on opposite weeks so that there was always one officer available.

RDOs are typically taken on Fridays, however some staff take them on Mondays (or occasionally other days) where this is not practical. Supervisors have the discretion to manage their staff's RDOs to ensure business continuity and service delivery, provided it is consistent with the enterprise agreement.

There is no formal standardised communication procedure around RDOs, however staff are expected to manage their absence in the same way that they would with normal leave (i.e. setting an out of office email reply, performing appropriate handovers of key tasks and diverting phone calls).

CLOSED TO MEMBERS OF THE PUBLIC

15. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council Meeting (closed meeting) held on 28 January 2020 be confirmed.

16. APPLICATIONS FOR LEAVE OF ABSENCE

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