

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 24 September 2018 at 6.00 p.m.**



Present: Aldermen K. Johnston (Mayor), M. Stevenson (Deputy Mayor), P. Bull, M. Carlton, J. Dunsby, S. Fraser, S. King, G. Richardson, K. Sims and B. Thomas.

In attendance: Mr. T. McMullen (General Manager), Mr. S. Scott (Acting Director Corporate Governance), Mr. D. Ronaldson (Acting Director, Community, Economic Development and Business), Mr. P. Garnsey (Acting Director City Services and Infrastructure), Mr. B. Richardson (Acting Chief Financial Officer), Mr. B. Hannan (Acting Manager Governance and Risk), Mr. A Woodward (Acting Manager Property Assets), Ms. K. Whitbread (Acting Manager Community and Customer Service) and Mrs. J. King (Mayoral and Executive Support Officer).

Workshops held since last Council Meeting

Date: Monday, 3 September 2018

Purpose: To discuss:

- Child Care
- Multicultural Ambassador Program

Date: Monday, 17 September 2018

Purpose: To discuss:

- TasWater Briefing
- Communications Strategy
- Tolosa Dam Remediation

Twenty one (21) members of the public attended the open part of the Council meeting.

The Chair opened the meeting at 6.00 p.m.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal Community as the traditional and original owners and continuing custodians of the land.

The Chair read the following two statements:

Statement 1:

In relation to the Audio Recording of the Council Meeting under regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's 'Audio Recording of Council Meetings' Policy.

Statement 2:

In relation to Work Health and Safety at the Council meeting.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Resolution:

SIMS/BULL

That the minutes of the Council Meeting held on Monday, 27 August 2018 be confirmed.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

The Mayor welcomed Sarah Skinner, Rachel Siely (players) and Craig Grace (coach) of the Glenorchy District Football Club women's team, which won the 2018 TSL Women's Grand Final on 15 September 2018, defeating Clarence.

The Mayor congratulated the team on their efforts.

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.

Alderman Bull declared an interest in an item (KGV Sports and Community Precinct – Building Dispute Status Update) to be tabled in Closed Council.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Geoff Lucas, Granton

[All answers are extracts from the Mayor's written response to Mr. Lucas]

Q: Why did Council 'invoice' ratepayers \$2.8m to repay a Federal Government grant for the Derwent Park Stormwater Harvesting Project?

A: As I noted during the meeting, Council's 2018/19 budget includes a \$2.8m contingency amount for potential liabilities that Council may face during the financial year.

It is misleading to state (as you did) that the contingency is to repay the Federal Government grant for the Derwent Park Stormwater Harvesting Scheme. As I also noted in the meeting, the contingency is in respect of a number of potential liabilities. While I am unable to provide a detailed list of the matters to which the contingency amount relates, I can advise that it includes potential expenses related to:

- closure of the reuse component of the Derwent Park Stormwater Harvesting and reuse scheme

- potential legal claims against Council arising out of issues considered in the Board of Inquiry report, the Auditor General's report and the Integrity Commission Report (which I am unable to elaborate on), and
- the ongoing problems with the KGV Sports and Community Precinct.

It would be profoundly irresponsible and a gross breach of Council's obligations to the community not to set funds aside in anticipation of those matters, however hopeful we might be that those funds will not be required and can be re-allocated to purposes of greater benefit to the community in the future.

Accordingly, as much as I would prefer that those funds were able to be spent on other things, until we know the outcome of the matters that they relate to we need to ensure that we have the money to pay those liabilities as they fall due.

Q: The potential amount that you would have to pay back to the federal government (\$9.1m) seems to align with the sale of the DEC. Is there a link between the two?

A: There is no link between these two potential events.

There is no certainty that Council will be required to either repay the grant amount (and we are negotiating with the Federal Government department in that regard) or that Council will be able to find a buyer for the DEC.

Council foreshadowed potential asset sales during the public consultation about its 2018/19 budget process, as a potential way of improving our financial position. As I have noted during Council meetings, the proposal to consider selling the DEC was instigated following an approach made to Council by the consortium (led by Justin Hickey) which is currently seeking to purchase it.

Q: Why are you telling everyone that you are saving Glenorchy from insolvency when the Auditor General's Report indicates that there was an underlying surplus ratio of 1.1% for 2016/17 and a ratio of -0.8% for 2015/17 (which is very close to surplus)?

A: Extracting, as you have, a single statistic from the Auditor General's report to attempt to demonstrate (inaccurately) that Council was in a stable financial position prior to this year's budget is misleading.

The Auditor General's report provides commentary on how the 'Underlying Result' in the report was calculated (the underlying surplus ratio is an extrapolation of that figure). The report relevantly states as follows on page 8:

"For the purpose of calculating a council's Underlying surplus or deficit (underlying result), we have relied on the definition of Underlying surplus or deficit in the Local Government (Management Indicators) Order 2014, as follows:

*'...underlying surplus or deficit is the amount that is **the recurrent income** (not including income received specifically for new or upgraded assets, physical resources received free of charge or other income of a capital nature) of a council for a financial year **less the recurrent expenses of the council for the financial year**'.*

We worked with the Department of Premier and Cabinet's (DPAC) Local Government Division (LGD) and provided further guidance to councils to ensure consistent calculation of underlying results.

The Underlying surpluses or deficits reported in this Report agree to the management indicator disclosed in council financial statements in all cases for 2016-17.

The intent of the underlying result was to show the outcome of a council's normal or usual day-to-day operations. It was intended to remove extraneous factors that could create volatility and therefore make it difficult for users to understand the outcome of a council's normal operations." [my emphasis added]

The underlying surplus ratio figure is, in effect, a hypothetical representation of Council's ordinary operating revenue less expenditure, without considering extraordinary revenue or expenses that do not form part of the 'recurrent' income or expenditure of a Council. As has been well documented, Council has faced a range of extraneous factors that have adversely affected our budget position in the last, and preceding, financial years (for example, the Board of Inquiry costs, associated legal costs, and a number of project failures). These are expenses that are not taken into account in calculating the underlying surplus ratio figure. It should also be noted that Council's financial performance KPIs set a target of an underlying surplus ratio of between 2.5 and 5%, which is well above what was achieved last financial year.

While I am pleased that the ratio has improved from previous years, that figure is a single, largely hypothetical statistic, that does not provide a representation of Council's budget position as a whole.

Council's actual operating result for the 2016/17 financial year was a \$673,000 deficit. Our forward projections based on the financial modelling adopted in the Long Term Financial Management Plan showed that Council's cash balance would be reduced to zero (i.e. Council would, quite literally, run out of money) by the 2019/20 financial year. The key budget risks that we face over this coming and future years are outlined in detail in the report to Council at the 25 June Council meeting at which the budget was adopted. I would encourage you to read that report to gain a true understanding of Council's financial position.

Further, I am not aware of whether you attended the Community Budget Briefing session which was held on 19 June 2018 prior to adopting the budget. The briefing included a comprehensive update on Council's financial position given by the General Manager. You can view a video recording of the entire briefing on Council's website (<https://www.gcc.tas.gov.au/articles/2018-19-budget.aspx>).

Q: Can I have a list of what the \$2.8m contingency is for?

I have provided a summary of how this amount is comprised in the answer to the first question. I am unable to provide any further details.

James Bryan – 14 England Avenue, Montrose

Q: It is not clear to people that there are three rates that are paid for the use of the DEC. There is a commercial fee, a community fee and a fee paid by the Glenorchy City Council. For example, the Astley Room costs \$880 for commercial use, \$550 for not-for-profit community organisations and the Glenorchy City Council pays \$350 per day. This suggests that the DEC has strong community use and is a valuable asset and that there isn't anything similar in Glenorchy?

A: At the 27 August Council meeting, Mr. Bryan was advised that statistics about the DEC use would be provided. Those statistics were still being collated at the date of publication and will be provided to Mr. Bryan.

Janiece Bryan – Montrose

[Answer is an extracts from the Mayor's written response to Mrs Bryan]

Q: The \$234,000 loss that was recorded in the annual report included \$414,000 spent on materials and contracts related to the installation of the sports floor for basketball (\$211,035) and a contract for technical and production services. In addition, all we can see is a \$377,000 drop in revenue last financial year since the Hobart Chargers started using the DEC. If we take out the funds spent by ratepayers on basketball and the drop in hire chargers, then the DEC would have made a profit of approximately \$557,000 last year. The Council needs to explain. If the hire charges with the Hobart Chargers were commercial charges, we need to know the details of the contract that was signed with them.

A: Council's annual report recorded that during the 2016/2017 financial year the DEC returned an operational deficit of \$234,000. The report also recorded \$414,000 spent on materials and contracts. This expenditure is across all functions/events that the DEC holds and across the entire year. It does not relate exclusively to basketball.

Further, an amount of \$211,035 was expended on replacing the sports flooring that serves all court-based sports, including basketball and netball. This amount was funded through Council's Capital Expenditure Program and has no bearing on the operational loss that was recorded.

Council holds a current 3 year agreement with the Hobart Chargers Basketball Association at the DEC. The details of that contract are commercial-in-confidence, so I am unable to disclose them to you.

6. PUBLIC QUESTION TIME (15 MINUTES)

James Bryan – 14 England Avenue, Montrose

Q: When will Council's 2017/18 financial statements (with expenditure and receipts) be available, so that we can compare the results of that year with the 2018/19 budget?

A: (Mayor) the audited financial statements for the 2017/18 financial year will be presented at the October Council meeting (29 October 2018).

(General Manager) The Tasmanian Audit Office (TAO) is still completing its audit of Council's financial statements. The General Purpose Financial Report has been completed but we are still waiting for the final sign off from the TAO. The deadline is 30 September 2018.

Q: Will they be available on Council's website?

A: (Mayor) yes, they will be available as part of the agenda for the October 2018 Council meeting and also in Council's annual report, both of which will be available on the website.

Q: At recent Council meetings I have expressed concerns about the repayment Board of Inquiry costs contributing to Council's recent 12.5% rate revenue increase. I recently wrote to the Minister for Local Government in relation to this, and received a response which included the following:

"It should be noted that the government also offered to restructure and extend Council's loans until 2027, and applying the lower prevailing interest rates and annual repayment saving of approximately \$480,000 would be able to improve the Council's cash position. This offer was rejected by the Council."

Was this offer discussed at a Council meeting and what was the basis for it being rejected?

A: (Mayor) Yes, it was discussed at a Council meeting and it also formed part of the budget paper that Council considered at its budget meeting in June. Council formed the view that while the Treasurer was outlining a change in the repayment terms, it would actually have meant that Council would pay much more in interest which would result in a net liability to Council rather than a benefit. It's a bit like a home mortgage, in that the longer you take to pay something back the more it costs you in interest in the long run.

Q: On the agenda for the Special Council meeting of 9 July 2018 a figure of \$869,000 was quoted for depreciation only on the Derwent Entertainment Centre. It was talked about as being a valuation as being on the books to calculate depreciation. The figure given for that valuation was \$34 million. We asked, through right to information, for information on how that figure was calculated and received a spreadsheet which listed that figure as the 'replacement cost' the Derwent Entertainment Centre (for accounting purposes) still \$34 million? Is the replacement cost of the DEC still \$34 million?

A: (Mayor) \$34m was the initial value for depreciation that we were working towards and from which the \$869,000 depreciation was based on. As we explained at the last Council meeting, there has been a change in the Auditor-General's view about how to calculate the depreciation on that asset, based on the 'economic obsolescence' principle. While it may cost \$34m to replace a venue with a capacity of 5,500 people, Council would be unlikely to do that because the average utilisation is around 2,000 people. The replacement value can be calculated based on a venue of around that size.

(General Manager) It should also be noted that the relevant Accounting Standard had changed which led to a reevaluation of how depreciation was calculated. A number of the assets that comprise the DEC have also now been fully depreciated which further reduced the amount of depreciation.

Q: The new figure given for depreciation of the DEC is \$186,000 which, we were told, is based on a valuation of \$18.6m. That doesn't seem to be correct and the depreciation on that amount should be significantly higher. What is the figure of \$186,000 for depreciation on the DEC based on and how is it calculated?

A: The question was taken on notice.

Michelle Ashwood – 7/315 Tolosa Street

Q: In relation to the proposal for the Tolosa Dam remediation which Council is making a decision on at this meeting, has Council taken into account the wishes of the residents that live near the dam? 'Option 2' on the report to Council [which involves filling the decommissioned reservoir with cleanfill] may be attractive to some people, but it will cause significant disruption to nearby residents in that there will be excessive noise, dust and truck movements over a period of 10 years.

A: (Mayor) Council is considering this matter as item 11 on this evening's agenda. Council has gone out to consultation about the future of Tolosa Park and the dam in two stages. The first stage was effectively a 'blank canvas' in terms of what the public wanted to see happen at Tolosa Park. From that, Council narrowed the recommendations to the two reports which appear on tonight's agenda and then went back out to public consultation with the public about which option they would prefer. The results of the second public consultation are included in the attachment to the report, but indicated that 42% of residents were in favour of option 1 and 30.54% were in favour of option 2 (with the balance either being unsure or indicating that they liked both options). Option 1 is basically to demolish the dam wall and landscape the area. Option 2 involves filling the decommissioned reservoir with cleanfill. The officer's recommendation is that Council accepts Option 1.

However, there have been some further developments on the matter this afternoon which is likely to mean that Council may defer its decision on the matter. This may also lead to further public consultation.

Janine Foley – 5 Bethune Street, Chigwell

Q: In relation to the DEC sale, Council considered reports at the 9 July and 20 August 2018 Council meetings which listed figures for depreciation of the DEC. Was the depreciation figure presented at the 9 July 2018 Council meeting (\$869,000) compliant with the Australian Accounting Standards? It was noted at the 20 August Special Council meeting that the depreciation methodology had changed to take into account the economic obsolescence principle, and that Council had been in contact with the Tasmanian Audit Office early in the year. Why did Council release the figure of \$869,000 for depreciation if they were in discussions to change the methodology (i.e. why didn't Council wait and just release the revised figure) and given that there was no time line for the sale of the DEC? Why not have the first meeting about the DEC sale in August?

A: The question was taken on notice.

Bob Holderness-Roddam – Austins Ferry

Q: Given two properties with similar AAVs, what are the comparable rates for Clarence, Glenorchy and Hobart?

A: The three Councils base their rates calculations on different methodologies and also impose different service and other charges, making a direct comparison impractical. Specifically:

- Glenorchy City Council and Hobart City Council calculate rates based on 'assessed annual value' (AAV), and
- Clarence City Council calculates rates based on 'capital value'.

Assessed annual value and capital value are two different things. Their definitions are set out in full section 3 of the *Valuation of Land Act 2001*, however, in effect:

- the AAV of a property is the amount of annual income that an owner could get for renting the property. This is based on rental rates at the time of valuation.
- the capital value is the amount that would be realised if the property was sold.

It is impossible to provide an accurate comparison between Hobart and Glenorchy (on the one hand) and Clarence (on the other) given the different methodologies used. There is not a linear relationship between AAV and capital value. It differs from area to area. For example, a house in Chigwell (Glenorchy), might have a very different rental value to a house with a similar capital value to a house in Rosny (Clarence).

Similarly, while it is possible to provide a comparison of the 'cents in the dollar' general rate for Hobart and Clarence, such a comparison gives only a dollar figure and does not take into account other factors. For example, a property with an AAV of \$10,000 in Hobart might be very small whereas a property with the same AAV in Glenorchy would be considerably larger, owing to differing property values in Hobart and Glenorchy. Similarly, comparing the rates payable on a standard 3 bedroom house in the Glenorchy suburbs versus the same in inner city Hobart would produce very different rates bills.

Taking the above qualifications into account, a comparison of the rates payable on a residential property with an AAV of \$15,000 in Hobart and Glenorchy, situated outside the Urban Fire District (which attracts a higher fire services levy in Glenorchy) is below. Please note that this comparison also includes annual service charges, as this provides a more accurate view of the total amount payable in an annual rates and charges bill.

Rate/Charge	Hobart	Glenorchy
General Rate	\$1,224 (based on 8.16 cents in the dollar, AAV)	\$1,340 (based on 8.937 cents in the dollar, AAV)
Fire Services Levy (GCC) / Fire Service Rate (HCC)	\$202.50 (based on 1.35 cents in the dollar, AAV)	\$27.46 (based on 0.1831 cents in the dollar, AAV)
Stormwater Removal Service Rate	\$70.50 (Based on 0.47 cents in the dollar, AAV)	n/a
Waste Management Service Charge	\$250	\$233.90 (based on a standard fortnightly collection of a 240 litre waste and recycling bins)
Green Waste Management Service Charge	\$50 (optional)	n/a
Landfill Rehabilitation Service Charge	\$10	n/a
Total:	\$1,807.00	\$1,601.36

Q: What have been the percentage rate increases for each of the past five years for Clarence, Glenorchy and Hobart?

A: The percentage rate revenue increases for the past five years are set out in the following table and have been ascertained by looking at publicly available documents on all councils' websites. Also included is the budgeted rate revenue for your reference. As you can see, whilst the percentage rate revenue increase in Glenorchy is relatively high compared with Hobart and Clarence, it has actually yielded less than Hobart and approximately only \$1m more than Clarence.

	2014/15	2015/16	2016/17	2017/18	2018/19	Total Increase (15/16 to 18/18)
Glenorchy	4.30% \$26.458m	4.60% \$27.859m	4.90% \$29.285m	2.50% \$30.222m	12.5% \$34.204m	24.5% \$6.345m
Hobart	2.76% Not available	0.90% \$74.92m	2.25% \$77.62m	3.25% \$81.48m	2.18% \$84.92m	9.48% \$10m
Clarence	2.80% Not available	1.00% \$44.361m	1.90% \$45.757m	2.30% \$47.576m	2.60% \$49.773m	7.8% \$5.412m

7. PETITIONS/DEPUTATIONS

Council received a deputation from Phil Butler representing the Glenorchy Historical Society in relation to Item 11 on the agenda (the Tolosa Dam Decommissioning and Remediation).

Mr. Butler outlined the history of the Tolosa Dam site and the historical significance of its infrastructure, and particularly the pump station.

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive the announcement of events by the Mayor.

Resolution:

FRASER/RICHARDSON

That Council:

RECEIVE the announcements about the activities of the Mayor's Office during the period from Tuesday, 21 August to Monday, 17 September 2018.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

9. HEALTHY COMMUNITIES ADVISORY COMMITTEE

File Reference: Sport and Recreation Advisory Committee (SARAC)

Reporting Brief:

To recommend that Council endorses updated Terms of Reference for Council's Sport and Recreation Advisory Committee and rename it the Healthy Communities Advisory Committee.

Resolution:

THOMAS/SIMS

That Council:

1. APPROVE the revised Terms of Reference for the Sport and Recreation Advisory Committee, which include changing its name to the Healthy Communities Advisory Committee, and
2. REQUEST a report on the community members recommended for appointment to the Committee once the application process is complete.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

10. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

File Reference: Child Care Connections

Reporting Brief:

The purpose of this report is to recommend that Council adopts six (6) revised Child Care Connections Policies and Procedures.

Resolution:

SIMS/DUNSBY

That Council:

1. ADOPT the Child Care Connections Code of Conduct in the form of Attachment 1
2. ADOPT the Child Care Connections Dealing with Complaints policy in the form of Attachment 2

3. ADOPT the Child Care Connections Death of a Child/Serious Incident policy in the form of Attachment 3
4. ADOPT the Child Care Connections Delivery and Collection of Children policy in the form of Attachment 4
5. ADOPT the Child Care Connections Dental Health policy in the form of Attachment 5, and
6. ADOPT the Child Care Connections Emergency Evacuation and Lockdown policy in the form of Attachment 6.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

ENVIRONMENT

11. TOLOSA PARK DAM DECOMMISSIONING AND REMEDIATION

File Reference: Tolosa Park Decommissioning and Remediation

Reporting Brief:

To present a Business Case to Council providing options for the decommissioning and remediation of the Tolosa Dam Site and recommend that Council approves the removal of the dam embankment by TasWater, and reinstatement of landscaping.

Resolution:

The following procedural motion was moved under regulation 20(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*:

KING/RICHARDSON

That Council:

DEFER the matter until the next ordinary Council meeting on 29 October 2018.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

12. GLENORCHY CBD REVITALISATION PROJECT - PROGRESS UPDATE (31 JULY TO 24 SEPTEMBER 2018)

File Reference: CBD Steering Committee

Reporting Brief:

To provide the bi-monthly update on the progress of the Glenorchy CBD Revitalisation Project to Council.

Resolution:

FRASER/STEVENSON

That Council:

RECEIVE and NOTE the CBD Revitalisation Project Bi-Monthly, Progress Report for the period of 31 July to 24 September 2018.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

GOVERNANCE

13. STATE GOVERNMENT PART OWNERSHIP PROPOSAL FOR TASWATER

File Reference: TasWater

Reporting Brief:

To determine Council's position on the State Government's part-ownership proposal for TasWater to assist the Mayor to vote at a special meeting of TasWater's Council owners to be held on 27 September 2018 which will formally consider the proposal.

Resolution:

BULL/STEVENSON

That Council:

ENDORSE the State Government's part ownership proposal for TasWater as detailed in this report and the Information Memorandum at [Attachment 1](#).

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

14. COUNCIL ELECTRICITY SUPPLY CONTRACT

File Reference: Electricity Contract

Reporting Brief:

To brief Council on the circumstances surrounding the execution of a contract with Aurora Energy for the supply of electricity without Council having invited tenders and seek Council's retrospective waiver of the requirement to invite tenders in accordance with regulatory requirements.

Resolution:

STEVENSON/FRASER

That Council:

1. NOTE the summary presented in open Council detailing the circumstances surrounding the execution of a contract with Aurora Energy for the supply of electricity without Council having invited tenders, and
2. NOTE that following the 27 August 2018 Council meeting, the General Manager notified the Director of Local Government, and that no further action is proposed by the Director.

The motion was put.

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

AGAINST:

The motion was CARRIED.

15. MINISTERIAL DIRECTIONS - MONTHLY REPORT

File Reference: Ministerial Directions

Reporting Brief:

To inform Council of the progress towards completing the action items out of the Ministerial Directions Implementation Plan for the period ending 14 September 2018.

Resolution:

DUNSBY/THOMAS

That Council:

NOTE the progress satisfying the Ministerial Directions in the form of Attachment 1 as at 14 September 2018.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

16. FINANCIAL PERFORMANCE REPORT TO 31 JULY 2018

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the year-to-date, ending 31 July 2018.

Resolution:

STEVENSON/BULL

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date, ending 31 July 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

17. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of exemptions that have been applied to the procurement requirements under Council's Code for Tenders and Contracts for the period 15 August to 14 September 2018.

Resolution:

DUNSBY/FRASER

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period from 15 August to 14 September 2018.

Alderman King left the meeting at 7.25 p.m.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

18. NOTICES OF MOTION – QUESTIONS ON NOTICE / WITHOUT NOTICE

Answer to Questions On Notice (27 August 2018) – Alderman Dunsby

Q: Do parking officers have any jurisdiction to prevent the taxis parking in these spaces?

Neither Council's parking officers, nor any other Council officers, have any jurisdiction to issue infringement notices or take any other enforcement action against the offending taxis. More particularly:

- Under section 9(3) of the *Traffic Act 1985*, the State Transport Commission only has the power to authorise officers of local authorities to exercise powers relating to traffic offences "*in respect of, or in respect of the prevention of, **prescribed offences** within the municipal area of that local authority*".
- Under regulation 4 of the *Traffic (Compliance and Enforcement) Regulations 2011 (TCER)* the following are the 'prescribed offences' for section 9(3) of the Traffic Act:

*"(a) a **parking offence**;*

*(b) an offence under regulation 65(4) of the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*."*

- The offence being committed by taxi drivers parking in designated parking bays is not a 'parking offence' as defined in section 4 of the TCER. Rather, it is an offence under section 91D of the *Taxi and Hire Vehicle Industries Act 2008 (THVA)*, which provides that it is an offence to park a taxi in a public street unless it is "prominently displaying a sign clearly bearing the words "not for hire"".

- Section 91D of the THVA can be enforced by Police officers or State government transport officers who hold the appropriate authorization, but not Council parking officers.

The effect of the above is that Council's parking officers do not have any jurisdiction to issue infringement notices to taxis parking illegally in the public bays.

In response to this ongoing issue, Council staff will engage with the Department of State Growth and Tasmania Police with a view to those authorities increasing their officers' presence in that area. We have also written to the taxi companies expressing our concerns and will do so again.

Q: Could consideration be given to moving the taxi rank back, so that it occupies the last few current parking bays?

Council is in the process of redesigning the area in front of Northgate as part of the Glenorchy CBD Revitalisation project (see attached concept plan). The full concept urban design can be found on Council's website (<https://www.gcc.tas.gov.au/businesses/cbd-revitalisation-project.aspx>).

The redesign of this area is to focus on wider footpath areas and encouraging people access over vehicles. An example of this is the removal of vehicle parking while maintaining taxi pick up / drop off in front of Northgate. On the opposite side of the road Council has placed a focus on providing spaces for people with disabilities.

The reconstruction of this area will not commence until late 2019. Over the next six months Council will continue to undertake the detailed design including ongoing engagement with the access committee and other key stakeholders including Northgate. If improvements can be identified and works brought forward Council will endeavour to do so.

Answer to Question Without Notice (27 August 2018) – Alderman Richardson

Q: Does Council have a whole-of-Council policy on recycling and reducing waste? If not, can we develop one?

A: Council does not have a specific policy on recycling and reducing in-house waste, however our Waste Services team regularly promotes the in-house recycling services available to staff.

Council's Waste Services Policy predominately relates to the Kerbside collection service. However, clause 5.6 of the policy refers to the provision of recycling services for Council based activities or events, and provides as follows:

5.6 Waste Provision waste service

Council will continue to promote and encourage correct garbage and recycling disposal within the community by providing 240L garbage and 240L recycling bins at Council organised events. To promote recycling at these events, all 240L garbage bins must be paired with at least one 240L recycling bin. In addition to Council based events, Council may be able to provide a hired garbage and recycling service for non-council events. The provision of such a service will be at the discretion of Council. Council will work with all special event permit holders around the appropriate number of bins for events, including the correct placement and disposal of bins.

As part of Council's waste education program the Waste Services team has had discussions around the further promotion of re-use and recycling for all Glenorchy based events and is currently looking to provide a standardised information flyer to all event organisers when applying for an events permit.

A formal 'in-house' recycling and waste reduction policy can be developed at the request of Council.

Question Without Notice – Alderman Fraser

Q: We are getting into the warmer months of the year when grass starts to grow much faster. What are Council's current service levels with respect to how often we mow grass on Council owned properties?

A: The question was taken on notice.

Question Without Notice – Alderman Richardson

Q: Can consideration be given to providing a pickup/drop-off area in front of the main entry to the Northgate Shopping Centre now, in advance of the completion of the works on the CBD Revitalisation Project, in order to allow better access to Northgate for elderly and disabled residents.

A: (Director, Infrastructure and Works) We are already looking at whether a drop-off/set-down area that would also double as a loading zone for businesses which only have access through the front door can be placed at the front of Northgate. The project team has been asked whether this could be implemented now rather than during the CBD Revitalisation Project works and will advise once a decision has been reached.

Alderman King returned to the meeting at 7.27 p.m.

Resolution:

DUNSBY/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, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

19. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

FRASER/SIMS

That the minutes of the closed Council Meeting held on Monday, 27 August 2018 be confirmed.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

20. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

21. AUDIT PANEL - TENURE AND REMUNERATION

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. AUDIT PANEL CHAIR'S ANNUAL REPORT 2017-18

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).

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

Alderman Bull left the meeting at 7.51 p.m. having previously declared an interest in the following tabled item.

Alderman King declared an interest in the following tabled item and left the meeting at 7.51 p.m.

24. KGV SPORTS AND COMMUNITY PRECINCT – PROJECT UPDATE

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business.) and 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

DUNSBY/FRASER

That Council move into Open Council.

The motion was put.

FOR: Aldermen Thomas, Dunsby, Stevenson, Johnston, Richardson,
Fraser, Carlton and Sims.

AGAINST:

The motion was CARRIED.

The meeting closed at 9.10 p.m.

Confirmed,

CHAIR

