

Minutes of the Meeting of the Glenorchy City Council held at the Council Chambers on Monday, 25 June 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. T. Ross (Director Infrastructure and Works), Mr. S. Scott (Acting Director Corporate Governance), Mr. D. Ronaldson (Acting Director Community, Economic Development and Business), Mr. P. Garnsey (Acting Director, Environment and Development), Mr. B. Richardson (Acting Chief Financial Officer), Mr. B. Hannan (Acting Manager Governance and Risk), Ms. C. Higgins (Manager Legal and Procurement), Ms. K. Whitbread (Acting Manager, Community and Customer Service), Ms. M. Braslin (Acting Revenue Coordinator), Ms. E. Richardson (Casual Customer Service/Administration Officer) and Mrs. J. King (Mayoral and Executive Support Officer).

Forty-nine (49) members of the public attended the open part of the Council meeting.

Workshops held since **Date:** Monday, 4 June 2018

last Council Meeting **Purpose:** To discuss:

- Budget and Annual Plan

Date: Monday, 18 June 2018

Purpose: To discuss:

- Waste Management

The Chair opened the meeting at 6.00 p.m.

The meeting began with a prayer by Lieutenant Jeff Milkins of the Salvation Army.

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.

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

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Resolution:

THOMAS/SIMS

That the minutes of the Council Meeting held on Monday, 28 May 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

None.

4. PECUNIARY INTEREST NOTIFICATION

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

No interests were declared.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mrs. Kaye Smith – Glenorchy (28 May 2018)

Q: To Alderman King: May I refer you to point 388 on page 85 of the Integrity Commission Report, tabled in Parliament last Tuesday, 22 May 2018, where on 12 December 2016 you sent an email to Mr. Brooks and Ms. Iskandarli where you said:

“Peter and Seva,

It would appear to me that the Mayor and Matt [Ald Stevenson] are hellbent on saying that the both of you are corrupt!

I am prepared to offer to the Mayor in open Council, if you are found to have done the wrong thing that I will offer my resignation as long as they are prepared to do the same if you are found in the right.

This is not a stunt as I have total confidence in the both of you.

I doubt she would take the offer up.

It seems to me that she is suggesting that the auditor general is corrupt or a fool also and he should be let know.

We must not give up!

Hope you are ok Pete.”

My question to you, Mr King, is are you a man of your word, and if so when shall we see your resignation in the light of the Integrity Commission Report which shows clearly that the three (3) people in question have often done the wrong thing? If you do not intend to stand by your written word, when can we expect a public apology to the Mayor and Deputy Mayor?

- A: Alderman King advised that he had studied the Integrity Commission's report and also the Board of Inquiry Report again, and has had other people review those reports, and said that there is no suggestion of any corruption in either of those reports. On that basis, Ald. King said he had no intention of resigning.

Alderman King advised that he would be happy to apologise to the Mayor or anyone else offended by his comments in-person, and invited anyone seeking an apology (particularly the Mayor and Alderman Stevenson) to approach him to discuss the matter in private. Alderman King thanked Mrs. Smith for her question.

Mr. George Burrows - Granton

- Q: In relation to the report to council in relation to waste fees and charges [Item 10], Mr Burrows asked whether the charges for kerbside waste collection are optional? The question was asked in the context there was no waste collection service provided in Mr Burrows' neighbourhood until approximately 20 years ago, and that residents who did not receive a kerbside collection service received a discount on their rates. Mr Burrows' view was that the way the report to Council was framed made it appear that it was possible opt out of the kerbside collection service and not pay the charge.**

- A: There is no ability to opt out of paying the kerbside waste collection service charge. The same waste charge is applied to all residential properties within the municipality, irrespective of the value of the property or its location.

This system has been in place since 1 July 1996 when wheelie bins and crates were first introduced. From that date, a flat fee for the standard fortnightly collection service was applied to all residential tenements regardless of whether a resident uses the service or not.

The current arrangement is common practice among Tasmanian councils and is authorised under section 93 of the *Local Government Act 1993*.

- Q: Also in relation to the waste fees and charges report, Mr Burrows noted that the report referred to the arrangement for multiple dwellings in which residents share multiple bins for kerbside collection. Mr Burrows expressed indignation about this arrangement and asked whether the Council has considered any alternatives to this?**

- A: The practice of supplying shared rubbish and recycling bins to multiple unit developments is standard and accepted practice across Australia, and is the most efficient and effective way of delivering waste and recycling services to complexes with multiple dwellings.

Accordingly, Council has not considered any alternatives to this arrangement.

Council's Waste Services Policy provides that multiple dwelling units/flats may receive a shared service where there are three or more tenancies in the complex.

Council's waste services department assesses new unit developments for implementation of shared bins as part of the development assessment process, using specific criteria, including the location of the property, the amount of kerbside space and the implications for the surrounding environment.

Mr. Geoff Corrigan - Glenorchy

Mr. Corrigan presented a number of photographs to Aldermen of damage caused by the flooding of Humphreys Rivulet near a unit complex at 55 Grove Road (adjacent to the Grove Road bridge) during the storm event of 11 and 12 May 2018. Mr Corrigan noted that there was still a large amount of debris under the bridge which would need to be cleared in case of a similar event.

Mr Corrigan outlined some of the history of flooding in that area and mitigation action taken by Council, and referred to a previous Council By-law which provided that dwellings could not be constructed within five (5) metres of the banks of the rivulet, and that floor levels of those dwellings were required to be half a metre above the survey level of the Grove Road bridge.

- Q: Mr Corrigan asked, in view of his comments, how the unit complex at 55 Grove Road, which was constructed in or about 2009, passed Council inspections given that it appeared to be constructed below the level specified in the By-law he referred to, and was closer than 5 metres to the watercourse.**

- A: The By-law you are referring to was the Water, Sewers and Drains By-Law (By-law No. 3 of 1998). The By-law came into force on 31 March 1999 and expired after a period of 10 years on 31 March 2009.

Clauses 40.1 and 40.2 of the By-law contained the requirements that you referred to regarding construction within 5 metres of the Rivulet. Those clauses provided as follows:

"Development in Riparian zones set back from water courses

- 40.1 A person must not erect a structure within the riparian zone of a water course bank without the written authorisation from the General Manager.**

Penalty: 10 penalty units

40.2 The minimum width of the riparian zone is 5 metres from the top of a watercourse embankment."

I have not been able to identify any provision in the By-law relating to the requirement to construct the floor level above the survey level of the Grove Road Bridge.

Council issued the Planning Permit for units at 55 Grove Road (the Units) on 4 April 2011. The Planning Permit was therefore issued after the By-law had expired, meaning that the requirements in the by-law did not apply to the approval of the Units.

The development application for the Units was lodged and assessed under the Glenorchy Planning Scheme 1992 and was required to comply with the requirements of that Planning Scheme.

Clause 9.2 of the Planning Scheme is entitled 'Flood Prone Areas'. Clause 9.2.1 sets out the requirements for buildings constructed in areas close to watercourses, and provides as follows:

9.2. FLOOD PRONE AREAS

9.2.1. The Council must not grant a permit (including a permit for a plan of Subdivision) if in its opinion the subject land to which the application relates is prone to flooding more than once in every one hundred years, unless it is satisfied that:

- (a) the use or development (or likely subsequent use or Development of land shown on a plan of Subdivision) will not unduly restrict the free flow of a Watercourse in flood;*
- (b) a Dwelling Unit will not be subject to inundation above the floor level of the lowest floor; and*
- (c) the use or Development (or likely subsequent use or Development of land shown on a plan of Subdivision) will not cause any undue risk to the occupants or users of the Site or to property."*

In consideration of the requirements of the Planning Scheme, the Planning Permit for the Units contained the following conditions:

"17. The minimum floor level of any habitable room of Units 2 & 3 must be a minimum at 0.3m above the 1 in 100 year flood level or RL 4.5m AHD (Australian Height Datum). Prior to the Issue of a Building Permit engineering plans indicating finished floor levels of Units 2 & 3 relative to a PSM (Permanent Survey Mark) must be submitted for approval by Council's Development Engineer."

Council was ultimately satisfied that the plans, as presented, addressed that criteria and issued a building permit for the Units in July 2011.

6. PUBLIC QUESTION TIME (15 MINUTES)

Kaye Smith – Grove Road, Glenorchy

In relation to the KGV Sports and Community Complex, and particularly the hydrotherapy pool:

Q: Mrs Smith advised that the ladies change facilities are still inadequate and there is no fire escape in that area.

A: (Mayor) A partition has been installed in the change rooms and the lessees (St Giles and Revive Physiotherapy) have advised that they not received any further complaints or identified any further issues.

Q: In the original plans for the project (funded by the Federal Government), was the hydrotherapy pool included as part of the complex?

A: (Mayor) The pool was not part of the original project for which the Commonwealth provided \$8.75M in funding. It was a separate project fully funded by Council. This was a decision taken by the previous Council.

Q: How much is it costing to heat the pool to the required temperature for and who is paying the cost?

A: (Mayor) All outgoings for the pool are paid by the tenants, including all the heating costs.

Q: Is it costing Council more to operate than it is receiving in rental, should there be a decision made to discontinue this service? Are the lessees of this facility paying rent, and if not, why not?

A: (Mayor) The tenancy arrangements are a commercial in confidence matter between Council and Revive Physiotherapy. However, in relation to the tenancy arrangements for the building as a whole, as a result of the arrangements put in place by the previous Council, Council is facing significant community subsidies for the tenants for future years. These will be reported in Council's Annual Report.

Q: If facility has not been completed to specifications and that is the reason for the tenants not paying rent, who would be responsible if there was any major accidents or events on this site (in other words, should there be any tenants in the building at all)?

A: (Mayor) Occupancy certificates have been issued for the building, and the tenants are therefore liable for what occurs in their tenancy, but Council has responsibility for the entire building.

Vera Thompson – Elf Avenue, Glenorchy**Q: Why is Council closing the Derwent Park Stormwater Harvesting Project?**

A: (Mayor) The initial scope of the Derwent Park Stormwater Harvesting project was to mitigate flooding on the Brooker Highway near the Bunnings site during heavy rains. This was successful, as demonstrated during the flood event in May. However, during the course of the project a decision was made to expand its scope to also harvest the stormwater that was being collected, treat it and then on-sell it to nearby industry to generate revenue. Unfortunately, while the system successfully treats the water and is sound from an engineering perspective, it costs Council more to produce each litre of water than Council can sell it for. It is therefore not economically viable. We also do not capture enough stormwater to make it a viable enterprise. As a result, operating the scheme is costing Council approximately \$600,000 per year. Council therefore made a decision at its meeting on 28 May 2018 to shut the plant down in order to stop those financial losses.

Q: Why is TasWater closing the Tolosa Dam and causing problems for Council? Why is Council filling the dam in rather than leaving it as a recreational facility.

A: (Mayor) The Tolosa Dam was formerly used by TasWater for water supply, however TasWater made the decision some time ago to cease using it for that purpose due to concerns about contamination, and also serious concerns about the structural soundness of the dam wall. The water supply now comes from the two tanks which have been constructed on the other side of Tolosa Street. TasWater's decision was made independently of Council. As part of the decommissioning of the dam, TasWater lowered the water level, which is why there is a large scar on the edge of the reservoir.

Council has recently gone out to community consultation about what they would like to see happen at Tolosa Park. No decision has been made as to what will happen, and there have been a number of ideas put forward. However, it is safe to say that a dam of the size of the old dam is not feasible. If we were to construct a smaller dam or no dam at all, part or all of that reservoir would need to be filled in. We have the ability to use clean-fill from construction space around the city to fill in the dam.

Council will consider all the feedback provided in considering how to move forward.

Shane Alderton – Main Road, Austins Ferry

In relation to the projects listed in the report on Council's proposed budget:

Q: For the Main Road revitalisation project (\$1.179m), what is this project and what is the money being spent on?

A: (Mayor) Council has recognised over a number of years that the CBD is looking very tired. There are also serious concerns about the safety aspects of the CBD (for example, trip hazards and drainage issues). The project will address these, and will work through the whole CBD from Peltro to Barry Streets). The State Government has provided funding of \$500,000 towards public space enhancement which is now proposed to be used towards the project. There is a report to Council on the agenda for the current meeting in relation to this.

Q: The budget papers also list Lutana Woodlands Project (\$175k), the Montrose Jetty Pontoon (\$200k), and the upgrade to the Prince of Wales Sports Ground facility (\$440k) as projects for 2018/19. Those three projects total just under \$2m. What is the urgency to complete these projects in the current financial year, given the proposed 12.5% rate rise, and can Council look at deferring these projects, stretching them out over a number of years, or stretching the rate rise over a number of years?

A: (Mayor) Council has responsibilities under the *Local Government Act 1993* to maintain and renew assets in the municipality and upgrade where necessary. Council has an asset management plan which sets out how we can maintain those assets to a standard that is acceptable to the community (both financially and in terms of asset sustainability). Council has to focus primarily on renewing assets to make sure they are fit for purpose and do not end up costing us more in the long term. This is the most significant expense in our capital budget. Some of the projects listed in the budget papers have come from the asset management plan, while others have come from consultation with the community, particularly the Prince of Wales Sports Ground which is a much used community facility that requires urgent upgrades to make it suitable for uses, both now and in the future. It is not an option for Council to not spend any money on capital works, and we have a responsibility to do that.

In relation to the Montrose Bay Pontoon, this is required for safety reasons, as there are a number of users entering the water at that location each day. The users have been asking for a pontoon for some time to address the safety issues. In relation to the Lutana Woodlands project, we have a range of reserves and parks in the city that we invest in over time. It is the Lutana Woodlands' time to have that money spent on it, and it needs that upgrade and renewal as well. The residents of Lutana have been lobbying hard for this to occur.

Q: Mr. Alderton noted that he has seen Council sprinklers running during times of heavy rain. Has Council got a moisture monitoring system to prevent wasting money on water?

A: The question was taken on notice.

Q: There is a large block of land near Mr. Alderton's home in Austins Ferry owned by Council which Mr. Alderton believes could be sold for considerably more than the \$200,000 that has been identified in the budget for annual asset sales. Has Council considered selling this land to raise money?

A: The question in relation to that particular block of land was taken on notice so that Mr. Alderton could provide the address of the land to Council officers.

(Mayor) In relation to land sales generally, it takes some time to realise any asset due to the procedure that needs to be followed under the *Local Government Act 1993*. There is a consultation process and an appeal process that needs to be followed before those funds can be realised. It is hoped that we can realise more than \$200,000 (for example, by selling the Derwent Entertainment Centre), however Council needs to be responsible and not over estimate the potential revenue that we could gain from land sales in the budget.

Anne Lacy – Montrose Road, Montrose

Q: In relation to supplementary rates that are raised in between the financial years, is there a budgeted amount for supplementary rates for revaluations, new buildings and additions that occur after 1 July 2018? If so, what is that amount? If there is a surplus above this budgeted amount, will this be reflected in next year's rates setting?

A: (Mayor) We estimate 0.5% of our rate revenue increase will come from supplementary rates increases (which are the adjustments that occur as a result of changes in AAV (Assessed Annual Value) throughout the year). In terms of what would happen in future years, if there was a significant change in AAV (for example, as a result of the \$350 million MONA hotel development) that resulted in extra rates during the year, this would certainly have an impact on our rates and may help to reduce pressure on them and ease the burden on families in Glenorchy. This is one of the reasons Council strongly encourages development within the city.

Ruslana Neads – Aldridge Court, Claremont

Q: On the report to Council on the budget, there is a table ('Rates per rateable property 2016-17') that shows that average rates payable in a number of other Councils in Tasmania. How did Council come up with this data, and what was taken into consideration, given that the AAV of properties within the different municipalities is different? Also, what was the purpose of providing this data to the public?

- A: (Mayor) The data was directly taken from a report of the Tasmanian Auditor General. It has not been collated by Council. Each year the Attorney General takes data collated from all the Councils and produces a report that compares Councils on a range of performance measures, including average rates payable per rateable property. It is correct that in places like Clarence or Hobart, the AAV of properties is much higher, and as a result they do not make a for good comparison with Glenorchy. However, a recent comparison is with the average rates in Burnie and Devonport, both of which have similar property values, residential and commercial precincts and demographics to Glenorchy. The average rates per property for those municipalities are still approximately \$600-\$700 higher than in Glenorchy. This demonstrates that Glenorchy's rates are not higher than other Councils in Tasmania, and that we are in fact one of the lowest rating city Councils in the state.

The average rate per property data was included in the budget report to provide context for the discussions about the proposed rate rise.

- Q: In the agenda, there is an agreed 2.5% increase in employee expenses budgeted (at a cost of \$1.022M). How is it that Council can Council afford to pay this increase, but cannot afford to keep rates lower?**

- A: (Mayor) This is a legacy issue from the previous General Manager (Peter Brooks) who signed an enterprise agreement in 2016 which included annual indexation of employee salaries. This included a 2.5% increase in 2017 and 2018 and a 3.5% increase in 2019. This is now a contractual obligation of Council that cannot be rescinded. While this increase is likely to be more than most employees in public and private sectors would receive, it is something that the new Council has to bear as a result of the actions of the previous General Manager. This is a significant amount, but that Council is unable to get out of it. The Enterprise agreement is in force until 2020, after which it will be reviewed again.

Tom Cocker – Parramore Street, Rosetta

- Q: Regarding the receipt of funds from TasWater, the agenda (budget report) speaks of a reduction in this year's income from TasWater, but notes that under the State Government's proposal to take a 10% stake in TasWater, distributions would be guaranteed for a further 10 years. How certain or reasonable is this expectation?**

- A: (Mayor) Council has received a reduction of approximately \$1.1 million in TasWater revenue. There was a decision made by TasWater in 2016 to reduce dividends to \$20M across all shareholders. The previous General Manager forecast an increase in TasWater dividends, which was clearly not going to be the case given that the dividends were to be capped at that amount.

Glenorchy is one of the largest shareholders in TasWater, meaning that this had a direct impact on us. At this stage, best predictions are that there may be a slight change in our proportion of ownership, however the State has given an indication that it would commit to ensuring that distributions would be maintained. A memorandum of understanding was signed earlier this year between TasWater and the State Government regarding the State Government's proposed part takeover. We understand that we will be getting briefing in relation to this in August, and a special owners' meeting is scheduled for September, after which legislation will be put before Parliament.

George Burrows – Main Rd, Granton

Q: During the commentary on the malfeasance and incompetence of the previous Council, there has been mention of a Council employee who was the Project Manager for the KGV project. Has that person been re-trained, redeployed or sacked? What confidence can the community have in the Council and its professional officers, particularly in relation to project management, operation of approvals and any other thing to do with building and project management, if we have a had a major failure on this issue?

A: (Mayor) The former KGV Project Manager is no longer employed by Council. Council has engaged an independent Project Manager to oversee the completion of the project and provide advice in relation to the building and construction and defect issues.

In relation to the confidence of the community in Council's project management capability moving forward, the proposed budget allocates an amount of \$100,000 to implementing outstanding audit issues. One of the key things Council's Audit Panel has highlighted for a number of years is that Council has poor project management capability. The budget provides the ability to see the Audit Panel's recommendations implemented.

However, it should be noted that the reports that have identified issues with project management have been clear that the problems have been centered around a number of individuals, none of whom are still with Council. The community can take confidence in the current management team through a range of accountability measures that we have in place, including the Ministerial Directions, Statement of Expectations and our new corporate reporting framework. Accordingly, while we have performed poorly in the past, I am confident that we have a range of mechanisms to ensure we are accountable in the future.

Q: Next year is the 200th anniversary of the opening of the old Main Road through Austins Ferry and Granton. Does Council have any plans to do anything about this anniversary?

A: The question was taken on notice.

Q: Some 800 metres of Main Road (from Black Snake Lane) has recently been resurfaced. This seems to be an area adjacent to a subdivision. Sections of that road were widened about 5 or 6 years ago, but as a result of a landslide in a new section of that road was put in about 2 years ago. It seems amazing that some 800 metres or more has to be resurfaced when some of it was only resurfaced a few years earlier. This again comes down to the maintenance of our assets and confidence in decision making.

A: The question was taken on notice.

John Green - Moonah

Q: In Table 1.2 in the budget report (*'Change in Assessed Annual Value and General Rate 2017/18 to 2018/19'*), the last property type referenced is 'Vacant' land. There appears to be a forecast decrease in the Average General Rate. In view of the rate increase that is proposed, why is vacant land raising this money?

A: (Mayor) The other columns in the table list the Average Assessed Annual Value (AAV) for the 2017/18 and 2018/19 financial years. They show that there was a significant drop in the value of vacant land between 17/18 and 18/19. Council uses that AAV and multiplies it by a cents in the dollar figure.

This is why there is a drop in the average general rate for vacant land from \$620 to \$556. The Change in AAV for those particular properties mean we will receive lower rates in respect of vacant land in the next financial year.

Q: Given that vacant land has been assessed at a lower value, could Council consider raising the cents in the dollar amount for vacant land, to encourage owners of vacant land to develop it?

A: (Mayor) If Council was to increase the cents in the dollar for vacant land, the same rise would then have to be applied to all categories of property in the municipality. This is because Council does not use a differential rating system where we apply different types of rates to different properties. To adopt a differential rating system, we would need to make significant changes to Council's financial and budget systems and would require considerable community consultation. Naturally, owners of commercial and industrial properties would want to make representations about this, as would residential property owners.

Q: Again in relation to table 1.2 in the budget report (*'Change in Assessed Annual Value and General Rate 2017/18 to 2018/19'*), under the property type 'Sport and Recreation', the number of properties in 2017/18 was 26, but for the projected future year it is 67. What is the reason for the increase?

A: The question was taken on notice.

Stephen Richards – Grove Road, Glenorchy

Q: Why do the people of Glenorchy have to pay the court costs for the former Councillors? This isn't fair to ratepayers.

A: (Mayor) Council is paying \$887,000 in Board of Inquiry expenses, as well as the cost of failed projects. This is unfair to the community and they shouldn't have to bear that cost when it was the wrongdoing of others that led to it. Council has investigated all avenues for taking action against former employees and Aldermen, but even if we did take legal action, there would be no guarantee of success, or that we could recover any amount that was awarded. We do not want to spend good money going after bad. Council does not have the power to commence prosecutions against those involved.

The Mayor encouraged Mr. Richards and all community members to write to the Minister for Local Government, the Director of Local Government, and their local politicians (including Elise Archer, the local State MP and Attorney General) and urge them to prosecute those involved so that the community could at least get some justice.

Q: Mr. Richards noted that he had seen a number of instances where Council staff driving Council vehicles drove from worksites in the City back to the Works depot to take breaks and back again. Mr. Richards expressed concern that this was a waste of rate payer money, and asked whether Council had investigated using GPS systems in vehicles to monitor staff usage?

A: The question in relation to the installation of GPS systems was taken on notice.

(Mayor) Council's staff, on the whole, are incredibly dedicated to their work and community. If you have concerns about particular incidents you are strongly encouraged to contact the General Manager.

However, Council staff should be defended because they provide a service to the community in difficult circumstances and I am very proud of them.

KING/CARLTON

That Council extend Public Question Time from 15 minutes to 45 minutes.

The motion was put.

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

AGAINST:

The motion was CARRIED.

7. PETITIONS/DEPUTATIONS

Deputation – Phil Butler, Glenorchy

Council received a deputation from Phil Butler (Clydesdale Avenue) regarding the abolition of the Community Precincts system in by the previous Council.

Mr. Butler outlined the recent history of the Community Precincts and their importance to both Council and the community. Mr. Butler urged Aldermen to consider reinstating Community Precincts, whether in the same form as they previously existed or in a different form.

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive the announcement of events by the Mayor.

Resolution:

FRASER/DUNSBY

That Council:

RECEIVE the announcements about the activities of the Mayor's office during the period from Tuesday 22 May 2018 to Monday 18 June 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

9. 2018/19 BUDGET ESTIMATES

File Reference: Annual Budget 2018/2019

Reporting Brief:

To recommend the 2018/19 Budget estimates, the Long Term Financial Management Plan 2018/19 to 2027/28 and the 2018/19 Schedule of Fees and Charges for Council's adoption.

Resolution:

KING/FRASER

That Council:

1. APPROVE the Glenorchy City Council 2018/19 Budget Estimates (Attachment 1)
2. APPROVE the Glenorchy City Council Long Term Financial Management Plan 2018/19 to 2027/2028 (Attachment 2)
3. APPROVE the Glenorchy City Council - Schedule of Fees and Charges 2018/19 as updated 21 June 2018, subject to incorporating amendments to the Planning Services Fee section to reflect the proposed planning fees set out in Table 7.1 as updated 21 June 2018
4. RESOLVE that pursuant to section 89A of the *Local Government Act 1993 (the Act)*, values under the *Valuation of Land Act 2001* be used as a basis of rates
5. RESOLVE that pursuant to Section 90(1) of the Act, for the period of 12 months commencing on 1 July 2018 and ending on 30 June 2019 inclusive (**financial year**), the Council make a general rate of 8.937 cents in the dollar based on the assessed annual value (**AAV**) of all rateable land in the municipal area of Glenorchy
6. RESOLVE that pursuant to Section 90(4) of the Act, for the financial year the Council set the minimum amount payable in respect of the general rate at \$186.80
7. RESOLVE that pursuant to Section 93A of the Act, Council make for the financial year the following service rate in respect of fire protection based on the assessed value of all rateable land shown on the valuation roll or assessment roll prepared under the *Valuation of Land Act 2001* as follows:
 - a. 1.509 cents in the dollar for the Council's contribution to the State Fire Commission for land that is situated within the urban fire district subject to a minimum contribution for each parcel of land of \$40.00, and

- b. 0.1831 cents in the dollar for the Council's contribution to the State Fire Commission for land that is situated outside the urban fire district subject to a minimum contribution for each parcel of land of \$40.00
8. RESOLVE that pursuant to Section 94(1) of the Act, Council make a waste management service charge for services provided by Council upon rateable land within the municipal area of Glenorchy for the financial year:
- a. a service charge for *waste management* based on capacity provided and frequency of collection in relation to each property to which the Council provides a *mobile recycling bin* service as detailed below:

\$172.60	140 litre weekly collection
\$172.60	240 litre weekly collection
\$86.30	140 litre fortnightly collection, and
\$86.30	240 litre fortnightly collection.

Pursuant to Goods and Services Tax Act 1999, a Goods and Service Tax does not apply on any of the above services.

and

- b. a service charge for waste management based on capacity provided and frequency of collection in relation to each property to which the Council provides a *mobile garbage bin* service as detailed below:

\$172.10	140 litre weekly collection
\$294.90	240 litre weekly collection
\$86.20	140 litre fortnightly collection, and
\$147.60	240 litre fortnightly collection.

Pursuant to Goods and Services Tax Act 1999, a Goods and Service Tax does not apply on any of the above services.

and

- c. for multiple dwellings within one property:

a service charge for waste management based on capacity provided and frequency of collection in relation to each dwelling located within a property to which the Council provides a *mobile bin* service as detailed below:

\$86.30	shared recycling service, and
\$86.20	shared garbage service

Pursuant to Goods and Services Tax Act 1999, a Goods and Service Tax does not apply on any of the above services.

9. RESOLVE that pursuant to Section 94(3) of the Act, Council make a service charge for the financial year for any or all the services specified in section 93 of the Act of \$243.49 for land used exclusively as a place of religion or worship
10. RESOLVE that a one-off penalty of 10% is to apply to unpaid instalments plus daily interest at the maximum prescribed percentage under Section 128 of the Act
11. RESOLVE that as permitted by section 129(4) of the Act, no penalty or interest is to apply during the period 1 August 2018 to 30 April 2019 where payment is made by Direct Debit and there are no arrears owing, and
12. RESOLVE that rates levied in accordance with this resolution are payable to the Council by two (2) equal instalments:
 - (a) the first by 15 August 2018, and
 - (b) the second by 1 February 2019.

Variations to Service Charges

13. RESOLVE that pursuant to Section 94(3) of the Act, Council make variations to the waste management service charge for the period of 12 months commencing on 1 July 2018 and ending on 30 June 2019 inclusive (**financial year**), within the municipal area of Glenorchy or within different parts of the municipal area of Glenorchy according to the use of land as follows:
 - a. in respect to land used for commercial purposes or land used for industrial purposes (which means land used wholly or predominantly for commercial purposes or industrial purposes, and includes all land coded 'C' or 'I' in the valuation list), where a *mobile recycling bin* service has been provided by Council, the waste management service charge is varied to:

\$172.60	140 litre weekly collection
\$172.60	240 litre weekly collection
\$86.30	140 litre fortnightly collection, and
\$86.30	240 litre fortnightly collection.

Pursuant to Goods and Services Tax Act 1999, a Goods and Service Tax does not apply on any of the above services.

and

- b. in respect to land used for commercial purposes or land used for industrial purposes, (which means land used wholly or predominantly for commercial purposes or industrial purposes, and includes all land coded 'C' or 'I' in the valuation list), where a *mobile garbage bin* service has been provided by Council, the waste management service charge is varied to:

\$260.90	140 litre weekly collection;
\$446.90	240 litre weekly collection;
\$149.60	140 litre fortnightly collection; and
\$256.80	240 litre fortnightly collection.

Pursuant to Goods and Services Tax Act 1999, a Goods and Service Tax does not apply on any of the above services.

- (i) This service is not compulsory, and is assessed by Waste Management Section staff.
- (ii) That the charges listed under 13.a. and 13.b. do not attract a Goods and Services Tax (GST) in 2018/19.

Amendment:

STEVENSON/RICHARDSON

That paragraph 3 of the motion be amended as follows:

3. APPROVE the Glenorchy City Council - Schedule of Fees and Charges 2018/19 as updated 21 June 2018, subject to incorporating amendments to the Planning Services Fee section to reflect the proposed planning fees set out in the amended Table 7.1, below:

Table 7.1 – Proposed planning fees

	Category	Rate	Comments
Development application fee	Estimated Development Cost < \$500,000	\$3.40 per \$1,000 of construction cost	minimum \$241.00
	Estimated Development Cost > \$500,000 ≤ \$50M	\$1,681.00 plus	base fee
		\$1.25 per \$1,000 > \$500,000	
	Estimated Development Cost > \$50M	\$63,556 plus	base fee
		\$0.20 per \$1,000 > \$50M	
	Estimated Development Cost < \$10,000 (Residential Only)	\$121.00	flat rate
Advertising fee		\$245.30	flat rate
Heritage assessment fee		\$220.00	flat rate

The amendment was put.

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

AGAINST:

The motion was CARRIED.

The amendment became part of the motion.

The amended motion was put.

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

AGAINST:

The motion was CARRIED.

10. GLENORCHY CBD STEERING COMMITTEE - PUBLIC SPACE ENHANCEMENT GRANT

File Reference: Public Space Enhancement Grant

Reporting Brief:

To recommend that funds allocated from a Public Space Enhancement Grant from the State Government be used to assist with funding the CBD Revitalisation (Stage 3) Project instead of the originally proposed Playground and Café/Kiosk project for the Council forecourt.

Resolution:

FRASER/STEVENSON

That Council:

1. APPROVE the reallocation of Public Space Enhancement Grant funds from the Children's Café and Playground to the Glenorchy CBD Revitalisation Project (Stage 3), and

2. DIRECT the General Manager to write to the Department of Premier and Cabinet on behalf of Council advising of the decision to reallocate the Public Space Enhancement Grant funds.

Amendment:

THOMAS/SIMS

That the following additional paragraph be included in the motion.

3. UPDATE the CBD Revitalisation Project page on the website to explain why the playground and kiosk elements have been removed from the project, and, where practicable, directly advise those who were consulted with about the decision.

The amendment was put.

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

AGAINST:

The motion was CARRIED.

The amendment became part of the motion.

The amended motion was put.

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

AGAINST:

The motion was CARRIED.

ECONOMIC

Mayor Johnston declared an interest in the following item and left the meeting at 8:07 p.m.

Deputy Mayor Stevenson took the Chair.

11. SPONSORSHIP OF CITY OF GLENORCHY EXCELLENCE AWARDS

File Reference: Joint Ventures (Economic Development)

Reporting Brief:

To recommend that Council endorse sponsorship of the 2018 City of Glenorchy Business Excellence Awards.

Resolution:

SIMS/FRASER

That Council:

ENDORSE Council's sponsorship of the 2018 City of Glenorchy Business Excellence Awards for the amount of \$6,000.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Alderman Johnston returned to the meeting and resumed the Chair at 8:13 p.m.

ENVIRONMENT

12. TOLOSA PARK DAM REDEVELOPMENT COMMUNITY FEEDBACK

File Reference: Tolosa Park

Reporting Brief:

To present the 'Tolosa Park Dam Redevelopment Community Feedback Report' to Council for approval and to recommend a series of actions flowing from it.

Resolution:

THOMAS/KING

That Council:

1. RECEIVE and NOTE the attached report on Tolosa Park Dam Redevelopment Community Feedback
2. RESOLVE that:
 - a) future planning of capital expenditure within Tolosa Park is to consider the recommendations in the Tolosa Park Dam Redevelopment Community Feedback Report (**Report**), and
 - b) Future open space planning within the wider Glenorchy municipality is to consider and prioritise the recommendations made in the Report, and
3. DIRECT the General Manager to:
 - a) instruct Council officers to prepare a business case, to include further public consultation on the decommissioning of the Tolosa Park Dam considering levelling the site using clean fill versus pushing in the dam wall and reshaping of the site, and
 - b) publish the Report on Council's website, publish the findings in the Glenorchy Gazette, and distribute copies to stakeholders who were provided with the survey.

The motion was put.

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

AGAINST:

The motion was CARRIED.

GOVERNANCE

13. GLENORCHY CITY COUNCIL ANNUAL PLAN 2018/19 TO 2021/22

File Reference: Annual Plan 2018/19 to 2021/22

Reporting Brief:

To seek Council's adoption of the *Glenorchy City Council Annual Plan 2018/19 to 2021/22*.

Resolution:

KING/RICHARDSON

That Council:

ADOPT the *Glenorchy City Council Annual Plan 2018/19 to 2021/22* as set out in 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. 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 15 June 2018.

Resolution:

DUNSBY/FRASER

That Council:

NOTE the progress satisfying the Ministerial Directions in the form of Attachment 1 as at 15 June 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

15. FINANCIAL PERFORMANCE REPORT TO 30 APRIL 2018

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the Financial Performance Report to Council for the year-to-date, ending 30 April 2018.

Resolution:

FRASER/BULL

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date, ending 30 April 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

16. 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 18 May to 14 June 2018.

Resolution:

DUNSBY/KING

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period from 18 May to 14 June 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

17. ACTIONS LIST (OPEN COUNCIL MEETING): UPDATE REPORT

File Reference: Actions List - Council Meetings

Reporting Brief:

To provide Council with the Actions List (Open Council Meeting), updated following the Council meeting on 28 May 2018.

Resolution:

STEVENSON/RICHARDSON

That Council:

NOTE the progress of the items on the Actions List (Open Council Meeting) as updated, following the 28 May 2018 Council meeting.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

Question without notice (30 April 2018) – Alderman Sims

Q: During a recent event with the Clean up Glenorchy Task Force event at Chigwell, Alderman Sims noted that a lot of the drains in that area do not have grates over them. As a result they are collecting a lot of rubbish and directing it down the road and creating an eye sore? Alderman Sims asked whether Council is doing anything to address this?

A: In relation to the rubbish at the top end of Chapel Street, it would appear that the recent flood event washed down and concentrated rubbish from the Knights Creek and Humphreys Rivulet catchments. The exact source of this rubbish is not known. It has subsequently been cleaned up.

In relation to the drainage area around Chigwell Barn, this is the first time we have had reports of problems in this area. Council note that pits can sometimes block, especially in autumn. Council, through a new pit cleaning contract, will be cleaning pits in this area at least twice during the next twelve months. The amount of material in each pit will be recorded to better inform Council as to the frequency of pit cleaning. In subsequent years, Council will be able to focus on pit cleaning in areas where we get the most build up to reduce the likelihood of problems.

Question without notice (28 May 2018) – Alderman Fraser

Q: Can Council release the SGS Economics report into Council amalgamations on Council's website?

A: Council will make arrangements for a link to the report to be provided on Council's website, along with a disclaimer that Council has not yet adopted any formal position in relation to the report's findings.

The link will be provided as soon as possible, noting that there may be some reconfiguration required to the relevant pages, given that its content does not fit neatly into any of the current pages.

Alderman Stevenson

Q: Is it possible to amend Council's Meeting Procedures Policy to include a requirement that answers to public questions taken on notice are to be provided in writing prior to the next Council meeting and included on the agenda?

A: Officers will prepare an amended Meeting Procedures Policy incorporating this requirement and bring it back before Council at the next Council meeting for adoption.

The Chair allowed a motion without notice under Regulation 16(1) of the *Local Government (Meeting Procedures) Regulations 2015*.

Resolution:

THOMAS/STEVENSON

That Council receive a report from Council officers on options for reinstating a precinct-type system to better engage with and inform our community.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Resolution:

KING/FRASER

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.

Alderman Thomas left the meeting at 8:44 p.m.

Alderman Carlton left the meeting at 8:44 p.m.

Resolution:

STEVENSON/FRASER

That the meeting be adjourned for 15 minutes.

The motion was put.

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

AGAINST:

The motion was CARRIED.

The meeting was adjourned at 8:45 p.m.

The meeting resumed at 9:02 p.m.

Alderman Thomas returned to the meeting at 9:02 p.m.

Alderman Carlton returned to the meeting at 9:02 p.m.

CLOSED TO MEMBERS OF THE PUBLIC

19. CONFIRMATION OF MINUTES (CLOSED MEETING)

20. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

21. KGV - UPDATE ON DISPUTE WITH MACQUARIE BUILDERS

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret). 15(2)(g) Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential and 15(2)(i) Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council.

22. ACTIONS LIST (CLOSED COUNCIL MEETING): UPDATE REPORT

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

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

The following item was included in the agenda under regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, having been approved by an absolute majority of Council.

24. UNSOLICITED OFFER - DERWENT ENTERTAINMENT CENTRE

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret), 15(2)(f) (Proposals for the Council to acquire land or an interest in land or for the disposal of land.) and 15(2)(g) Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.

The following item was included in the agenda under regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, having been approved by an absolute majority of Council.

25. CONTRACTUAL ARRANGEMENTS FOR RECYCLING SERVICES

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.), 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret), 15(2)(g) Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential and 15(2)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council.)

Resolution:

KING/DUNSBY

That Council move into Open Council.

The motion was put.

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

AGAINST:

The motion was CARRIED.

The meeting closed at 10:28 p.m.

Confirmed,

CHAIR