

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 26 August 2019 at 6.00 p.m.**



Present: Aldermen Kristie Johnston (Mayor), Matt Stevenson (Deputy Mayor), Peter Bull, Melissa Carlton, Simon Fraser, Steven King, Gaye Richardson, Kelly Sims, Bec Thomas and Jan Dunsby.

In attendance: Tony McMullen (General Manager), Jenny Self (Director Corporate Services), David Ronaldson (Director Community and Customer Services), Samantha Fox (Director Strategy and Development), Ted Ross (Director Infrastructure and Works), Bryn Hannan (Executive Officer), Alex Woodward (Acting Manager Property, Environment and Waste), Tina House (Manager Finance and ICT), Merv Graham (Property Sales and Acquisitions Officer), Mark Patmore (Accounting Coordinator Finance) and June King (Mayoral and Executive Support Officer).

**Workshops held since
last Council Meeting**

Date: Monday, 5 August 2019

Purpose: To discuss:

- FOGO Communications Plan - Review

Date: Monday, 12 August 2019

Purpose: To discuss:

- Land Disposal Investigations – Community Engagement Process / Planning Scheme Amendments
- General Manager's KPI's

Date: Monday, 19 August 2019

Purpose: To discuss:

- Internal and External Audit Process
- Infrastructure and Works Update

Eighteen (18) members of the public attended the open part of the Council Meeting.

The meeting was opened with a prayer by Mr Jeff Milkin – Salvation Army Moonah/Glenorchy.

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 work health and safety at the Council meeting.

Statement 2:

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.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Resolution:

DUNSBY/BULL

That the minutes of the Council Meeting held on Monday, 29 July 2019 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 announced that Council had recently won the Australian Institute of Project Management's Award for Sustainable Projects (Tasmania). Council received the award for its Waste Management Strategy, FOGO business case and landfill extension projects.

The Mayor presented the award to Council's Director Infrastructure and Works, Ted Ross, who thanked the members of the project team.

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.

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

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Shane Alderton - Main Road, Austins Ferry

Q. As a follow-up to my question from last month regarding land sales revenue (the answer to which is provided in the agenda), will the same costs and principles be applied to the sale of Wilkinsons Point and the DEC? Once you factor in the write-off value and the asset value to the reduced from the balance sheet, negative adjustment will this then mean that the sale of the DEC and Wilkinsons Point will also result in a negative impact profit of close to zero?

A. The same accounting methodology will be applied to the sale of the DEC as is applied to the sale of land. Until the DEC is sold, we are unable to determine whether there will be an accounting surplus or loss on disposal.

However, we reiterate that the figures reported in the Annual Plan and in Council's Annual Accounts are accounting adjustments and are in the form that Council is required to report under the Australian Accounting Standards. A net impact of zero for the purposes of this reporting does not mean that Council's cash balance will not increase as a result of the revenue from the proceeds of land sales.

Q. The leaflet that came with the Ratepayers Notice doesn't clearly state that [Council is developing an opt out criteria for its FOGO service]. The interpretation states that you can apply to opt out now. Is this technically incorrect?

A. The waste calendar that was distributed with the rates notices states:

"If residents meet certain criteria, they may be able to apply for an exemption from the service."

It does not state anywhere in that document that an opt out process is currently available. Nevertheless, Council is working to develop the opt out criteria which will be available soon, and will work to clarify this message to the community so that it is more clearly understood.

Q. Now that you've got my money when will I receive my FOGO bin caddy liners delivered to my address?

A. Council is in the process of sending out tenders for the procurement of the bins, caddies and composter liners for the caddies, as well as for the delivery of these items throughout the Glenorchy municipality. How they are delivered (either separately or together) will depend on the outcomes of that tender process. The FOGO bins and liners are expected to be delivered in January and February 2020.

James Bryan - 14 England Avenue, Montrose

Q. Back in March I asked for List of Council's Service levels and asked if the service level of public toilets and playgrounds could be added to that list. In the agenda the following month it said that it was being looked at and that it was on the website. Where are they on the website?

A. Council's Service Levels are available through the Customer Service section of our website ([Home > Customer Service > Customer Service Charter](#)).

Service levels for public toilets and playgrounds were added to that document in May 2018.

Q. Last year I asked a question about the sale of a Council property at 404-408 Main Road. The answer noted that as part of the sale price, Council received a grant for the redevelopment of a community park and a further grant for the relocation of the existing tenancies on the site. What happened to the tenancies grant?

A. The grant for the relocation of existing tenancies on the site related to the loss of car parking from the development of the Integrated Care Centre at 404-408 Main Road.

Council used the grant to purchase two residential properties (one in Terry Street, the other in Kenmere Place) which allowed for the extension of the all-day car park in Terry Street. In addition to purchasing the properties, the project required planning, engineering design, site preparation and construction of the car park, installation of lighting and landscaping.

Q. In the light of the High Court ruling earlier in the year, charitable organisations operating retirement facilities are exempt from paying rates. I would like some clarification regarding Glenorchy's situation. In the Annual Report 2017-18 there is a list of recipients with reduced rates. The total is \$576,000. There appear to be 3 facilities that fit the criteria for remission of rates: Lady Clarke \$30,000, Glenview \$60,000 and Strathaven \$48,000. Are the amounts listed for the 3 facilities in the Annual Report full exemptions or are they limited to the general rates amount set by Council. Do those organisations pay any of the service charges to Council?

A. Under the Local Government Act, and following the Supreme Court Decision earlier this year, any property that is owned by a charity and used exclusively for charitable purposes is exempt from the general rate. Council is currently working through a number of applications from organisations that have applied for this exemption.

In relation to the remissions for the three properties referred to in the question, yes, those amounts are for the general rates. Those properties are fully exempt from Council's general rates. However, under the Act, charitable properties are not exempt from service charges (i.e. waste and recycling charges).

They are also not exempt from the Fire Service Levy, and any exemptions from this levy are governed by the legislation that regulates the Tasmania Fire Service.

As mentioned above, Council has received a number of applications for exemption and is working through these on a case by case basis. Following the Supreme Court Decision, it is expected that there will be more exemptions provided than in previous years. The final quantum of these is not yet known or able to be accurately estimated but will be disclosed in Council's Annual Report.

Q. Are there any other retirement facilities that receive rates remission in Glenorchy (e.g. Barossa Park Lodge and Eureka Claremont)?

- A. All ratepayers which receive remissions or reductions in their general rates (or other benefits or assistance) are listed in the 'Grants, Assistance and Benefits Provided' section of Council's Annual Report.

Q. Do any of the independent units receive waste and recycling services from the Council?

- A. While the waste management arrangements for independent living facilities are not all the same, commercially operated retirement facilities such as One Care, Strathaven or Glenview generally do not receive any waste or recycling collection services from Council and make their own waste collection arrangements.

Q. As this decision has a significant financial impact on Council is there any intention to join with others to have this changed looking at the high court ruling.

- A. Yes. The Local Government Association of Tasmania has formed and coordinates a working group (with representation from across the local government sector in Tasmania) to work with the State Government to find a solution to the issues created court decision. Mayor Johnston represents Council on the working group.

Eddy Steenbergen - 128 Marys Hope Road, Rosetta

Q. What progress has been made in negotiations between council and TasWater and MONA regarding the remediation of the Tolosa Park reservoir?

- A. Council officers continue to work with TasWater and MONA in respect to the development of a strategic business plan for consideration by Council. This includes working through the financial, social and environmental impacts associated with two options.

Since the last Council meeting, officers have met with both parties and have engaged a consultant to draft a business plan. Council has also agreed on a process to estimate the cost of works.

Council officers are aiming to bring the business plan to Council before the end of 2019.

Q. What progress have Council planning staff made in processing the development application for the MONA Hotel and when might it be ready for public consultation?

A. The development application for the Hotel has been submitted and has undergone a preliminary assessment by Council's planning services team. Following that assessment, further information necessary to make a full assessment was requested from the applicant. Council is currently waiting for the applicant to provide some of this further information. Once the requested information is received, the application will be publicly advertised and members of the public will have an opportunity to make a submissions for or against the application. We do not currently have an estimate for when public advertisement is likely to occur.

Q. In order that residents can have realistic expectations, can Council provide a clear description of all services it provides outside normal working hours?

A. There are two arms of our after-hours service. One engages the Works Depot, the other engages our Compliance Unit. The services provided are as follows:

Work Centre

Generally, there are three situations that the Works Centre will attend after-hours:

- infrastructure emergencies
- assets emergencies and
- public safety concerns

Examples of each are:

Infrastructure emergencies

- a road has partially subsided and / or washed away
- an oil spill has occurred on a road
- a gravel spill has occurred on a road, or
- a bridge has been substantially damaged and / or undermined by erosion

Asset emergencies

- a break-in has occurred in one of our buildings
- localised flooding is occurring from waterways
- a roof is become loose in high winds (on Council owned buildings e.g. Council Chamber, Community halls), or
- a water-pipe has burst in one of our buildings.

Public safety concerns

- a syringe/needle has been found in a street or in a park
- park equipment has been damaged or is unsafe
- substantial subsidence has occurred
- a sinkhole has been found

Once our officers receive a call they will determine the risk and triage accordingly. Our aim is to have high-risk issues responded within 30 minutes while for lower risk levels our response time is determined by the responding officer and may include the next normal working day.

Compliance Unit

Council provides an after-hours Animal Management service to the community. The service applies to the following situations:

- dogs which have attacked or are acting aggressively (i.e. trying to attack, lunge at, or harass) and are visible in the immediate area and have either:
 - been confined or restrained or
 - are aggressive and identified to a property but not restrained to that property, and
- livestock or horses straying on public roads.

The service also applies to stray dogs only which have been secured and are wearing a Council tag. Animal Management Officers from Council will not attend after hours to collect stray dogs, however Council does engage a contractor which can, where possible, reunite a dog which has been found with its owner outside of business hours (provided the dog and owner are identifiable).

Janine Foley - Bethune Street, Chigwell

Ms. Foley submitted a series of written questions and background information. The questions (as submitted) are extracted below:

GCC – BETTER PRACTICE – Special Committees

Q1. Do GCC agree that the *Local Government (Meeting Procedures) Regulations 2015* (the Regulations) outline the best practice for meeting procedures?

A1. The meeting procedures regulations set out the minimum requirements that must be met by Council when it holds meetings of the full Council or Council Committees, but not Special Committees.

A Council Committee is a committee formed under section 23 of the *Local Government Act*. Council currently has two Council Committees, namely the Glenorchy Planning Authority and the General Manager's Performance Review Committee. Council Committees are much more formal than Special Committees, which are created under section 24 of the Act.

The regulations provide that councils can determine any other procedures for meetings of Council or Council Committees that they consider appropriate (see r. 37 or the regulations), provided they do not conflict with the procedures set out in the regulations. Council has adopted a 'Meeting Procedures Policy' under regulation 37, setting out the additional procedures which apply to Council and Council Committee meetings. The policy is available on Council's website.

Q2. Do GCC agree that the Local Government Division of the Department of Premier and Cabinet (Tasmania, Australia) encourage Local Government Councils in Tasmania, Australia, to adopt meeting procedures detailed in the Regulations to all meetings held by Councils including those of special committees?

A2. The regulations provide mandatory requirements for the procedures to be followed at meetings of Council and Council committees. Council has never received any direction from the Local Government Division to the effect that is encouraged to follow the procedures in the regulations for meetings of Special Committees or adopt any better practice model in relation to procedures for Special Committee meetings.

Sections 23 and 24 of the *Local Government Act 1993* provide, in relation to Council Committees and Special Committees, that:

- for Council committees, meetings are to be conducted in accordance with the prescribed procedures (i.e. the regulations) (s. 23), and
- for Special Committees, the Council is to determine meeting procedures (s. 24).

Given the regulations do not apply to Council's Special Committees, it would be impractical and expensive for Special Committees to voluntarily adhere to the strict procedures set out in the regulations. For example, this would require that a public advertisement was placed in The Mercury every time each committee met. The nature of the business conducted by Special Committees also means that it is not necessary to adopt the very strict and regulated meeting procedures that apply to Council and Council Committee meetings.

Council's *Committees Guide and Procedure* (adopted by Council in July 2018 and available on Council's website) sets out the following in relation to meeting procedures for special committees:

3.6 Meeting procedures

Special Committees are to determine whether to adopt formal meeting procedures governed in accordance with the Regulations and the Meetings Policy.

It is expected that there will be some formality attached to meetings of Special Committees, given the importance of the business that they conduct, particularly where the committee has been allocated Council funds.

Any meeting procedures of the Special Committee are to be recorded on the Terms of Reference.

Council is satisfied that those requirements are being met and that they are appropriate and comply with the requirements of the Act and regulations.

Q3. Although not a legal requirement (application of better practice model for the conduct of all council meetings in Tasmania) would GCC agree that an organisations which:

- (a) is aware of the existence of a better practice model**
- (b) is advised by relevant hierarchy to adopt the better practice model**
- (c) has undergone a period of instability, public investigation, and was able to be represented as a sector brand damager**
- (d) seeks election upon and publically claims to be rebuilding a deficient, sub-optimal organisational structure in relation to better practice guidance and frameworks,**
- (e) knowing all this and still refuses to adopt better practice guidelines – must expect to have a less than credible presence in the sector, the community and understands that its ‘presence’ may be condemned as a cynical, failed, wasted opportunity as the readoption of a discredited, humiliating, wasteful, inefficient, sub-optimal 2016 business as usual model is restored?**

A3. Council has not been advised to adopt a better practice model for Special Committee meetings and is satisfied that its current procedures, which are publicly available, go above and beyond what is required in the regulations and the Act.

Council has made its committees policy and procedures available publicly, including updated terms of reference for special committees.

We understand that your concerns may relate a denied request to attend a meeting of the one of Council’s Special Committees. It would be highly unusual for any Tasmanian council to invite members of the public to attend meetings of special committees. Council does not consider that it has breached any guideline, direction or policy in denying this request.

Q4. If 2018 GCC iteration disagrees with the above characterization can be in detail how 2018 – to date GCC differs from 2016 GCC in relation to the operation of this specific area of organisational practice? This raised serious issues around how members of the community can engage with GCC?

A4. While the dysfunction that occurred in the previous Council was well documented in the Board of Inquiry and Integrity Commission reports, neither of those reports raised any concerns about the operation of Council’s Special Committees.

There are numerous ways in which members of the community can engage with Council and seek information about our activities, including through asking public questions at Council meetings, as you have done.

Q5. How does internal audit intend to deal with this issue? The Local Government (Meeting Procedure) Regulations is an area that should highlight to the community the way that 2018 GCC is exceeding its expectations around compliance, government and risk management. There would appear to be an incoherence with practice and stated outcome expressed in a range of GCC documents from the signed Statement of Expectations, Code of Conduct and a myriad of other policy and procedural documents that the community would have expected the 2018 council to be a leader and not an organisation that has to explain why it has again failed to adopt a recommended better practice mode of operation.

A5. Council's Audit Panel is satisfied that Council is complying with the requirements of the regulations.

In relation to governance more generally, Council has taken considerable actions to address issues related to substandard governance and that were raised in the two reports noted above. This is highlighted by Council's completion of 55 of the 58 Ministerial Directions (which has been confirmed by the Minister) which were specifically related to improving governance across the organisation.

Q6. In the Quarterly Annual Plan Progress Report Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes. The codes from 4.1.3.01 to 4.1.3.04 rely utterly upon the GCC being a respected leader in this space. That is an early adopter of better practice so that it can speak with authority, clarity, credulity, experience and from a strong ethical lived (not described) position about matters of governance, compliance and appropriate risk management. In order to be taken seriously the functioning of an environment that is built upon and values and reflects operational practice based upon continuous improvement (adopting better practice as it develops) should not be underestimated. The relationship between regulatory compliance and better practice which is often a response to previous regulatory failure appears to be a surprisingly neglected area in the 2018 GCC operational environment. In light of previous failure, neglect, lazy ineptitude, lack of commitment and ignorance does GCC believe the failure to adopt better practice isolates it and leaves it open to questions around credibility, commitment and promises of the past won't be repeated?

A6. Council has not been advised of any deficiencies in its practice around meeting procedures for Special Committees and is completely comfortable that its current procedures are appropriate and comply with all statutory requirements.

As noted above, Council has not been advised or directed to adopt a better practice model for meetings of special committees.

Herbicide use in Glenorchy LGA 2018-2019

Q1. Can GCC confirm it is aware (reflected in current risk management practice) of the following APVMA (Australian Pesticides and Veterinary Medicines Authority) risk management manuals released in March – April 2019?

- (a) APVMA risk assessment manual Chemistry and Manufacture MARCH 2019**
- (b) APVMA risk assessment manual Residues and Trade MARCH 2019**
- (c) APVMA risk assessment manual Environment APRIL 2019**
- (d) APVMA risk assessment manual Human Health MARCH 2019**

A1. Yes, Council is aware of the risk management manuals and receives occasional news releases from APVMA. Council practices, however, are regulated by DPIPW and we are required to satisfy DPIPW's requirements in relation to herbicide use.

Q2. Can GCC confirm it conducted an application of ? (unidentified product/substance) on and around the Bethune Street Reserve, Chigwell, Tasmania, Australia on the 26 March 2019 (afternoon [GCC – 010] please confirm weather forecast – reported wind speeds and likelihood of 'showers')? The Reserve is situated next to the Child and Family Centre at 4 Bethune Street, Chigwell.

A2. Council does not record this level of detail. However, our application of herbicides is in accordance with the label instructions, including any requirements associated with weather. We are currently reviewing our processes to consider recording more detailed information.

Q3. In relation to APVMA risk assessment manual Human Health how did GCC manage the potential public/bystander exposure? That is – what organisational mitigation management strategies (if any) were in place on that day to manage potential risk around exposure and adverse effects? Note this question exists in relation to members of the public, staff at the CFC Chigwell and staff applicators from GCC.

A3. Council follows our safe systems approach to manage the risk to the public and our workforce around herbicide use.

Q4. Can GCC confirm it is aware of the following APVMA reports released in 2018?

- (a) Adverse Experience Reporting Program Annual Report of events occurring in 2014 October 2018 ISBN: 978-1-925767-14-8 (electronic)**
- (b) Adverse Experience Reporting Program Annual Report of events occurring in 2015 October 2018 ISBN: 978-1-925767-18-6 (electronic)**

A4. Yes, Council officers have noted these reports on the APVMA website.

Q5. Has GCC sought advice from the APVMA around the means and mechanisms regarding the reporting of a potential adverse experience?

A5. No, the reporting of adverse experience as per the APVMA website appears to be set up for the agricultural sector. Council is required to report to WorkSafe Tasmania in respect to incidents including chemical spills and leaks, and serious injuries and/or illnesses.

Q6. Can GCC inform the public how (as an employer and supervisor of contractors) it protects the health and safety of its 'workforce'? This would involve whole of life issues relating to product involved in the whole process from mixing to rinsate and disposal.

A6. Council, and our contractors, all work to a safe systems approach. This includes contractors providing evidence of their qualifications, licensing and safe systems approach. Council staff are trained and licensed as chemical users, use appropriate Personal Protective Equipment, and work in accordance with manufacturer's instructions. Council has recently been audited by Biodiversity Tasmania, which is satisfied that Council's systems are appropriate.

Biodiversity Tasmania particularly noted our systems of continuously improving in the way we approach herbicide use.

Q7. Can GCC confirm that it understands and reflects in practice the regulatory 'obligations' (stated and implied) placed upon the local government sector, in this instance in relation by the changing (2018-2019) regulatory landscape overseen in part by the APVMA?

A7. Yes, Council demonstrates our obligations through our training and licensing by DPIPWE, which is audited by Biodiversity Tasmania.

This obligation is also met through our system of continuous improvement and adoption of best practice. An example of this is the trialing of alternative herbicides that have a shorter holding period and are therefore more suited to high traffic areas where contact may be unavoidable.

6. PUBLIC QUESTION TIME (15 MINUTES)

Questions on Notice - Eddy Steenberg, 128 Marys Hope Road, Rosetta
(submitted on 6 August 2019)

- Q. Back in March this year I emailed council complaining about the state of a portion of Springfield Avenue and immediately received a reply saying:**

"Thank you for your email I have generated a work order for Springfield Avenue to be inspected and any urgent repairs be competed – your reference for this request is RMRdF0001201. I have also referred your email to our asset department to respond regarding future budgets & capital works projects."

After hearing nothing more, I emailed council again a couple of weeks ago quoting the reference for the work order and asking for its status. It was a pleasant surprise to receive a phone call direct from a council staff member who explained the outcome of my original email. A reseal of that section of Springfield Avenue had been included in the draft Capital Works Program for Summer 2021. Only urgent repairs would be done in the meantime.

While the information was welcome, it took an email from me to council to prompt the call.

Can you please describe how council manages emails from the public from receipt to final response?

- A.** Once Council receives an email to our corporate email address, it is registered into our electronic content management system and is then assigned to an officer in the appropriate department for response and action. This is all done within the same piece of software and officers are required to action the task and mark it is complete once it has been actioned.
- Q. I suspect that for many emails, the initial response is the final response. In my case it was not; the email had been turned into a work order. Will Council fix its process to keep the sender informed of progress (or lack of it) after the initial acknowledgement email?**
- A.** Enquiries that include works requests are not currently followed up on once an initial response is given, unless contact needs to be made to aid the completion of the works.

In relation to your request, we received your concerns regarding the state of Springfield Avenue. A works request was then created and was sent to Council's Works Centre to assess the road and making any repairs that they felt necessary.

In these instances, a follow up will not occur. However, there was a process error in this instance in that we did not follow-up your initial email from our Assets Department as promised in the initial response. We have noted this error and will address it to make sure it doesn't happen again.

- Q. Does the current process allow council to identify public emails that have not been fully processed? If so, then will council include in its quarterly reports statistics for the number of emails received in the quarter and the number not yet completed? If not then will it make that possible?**
- A.** Yes, the current process allows Council to identify public emails that have not been processed. Once they are dealt with by the appropriate department, they are required to be marked as 'completed' and closed in the system. There are not currently any plans to have these statistics added to the quarterly report.

Questions on Notice - Alison Stone (submitted on 26 August 2019)

- Q. Can the Council please provide minutes from all meetings relating any community consultation with regards to the design and replacement of Skate Central, including that of the Railway group?**
- Q. Can council provide list of all entities that have been consulted regarding the replacement of Skate Central?**
- Q. Can you please provide a list of all grants applied for by Council or others, successful or not, in the time period between Councils first announcement of the decision to demolish Skate Central and now?**
- Q. How much of the recently granted \$6million for the KGV precinct has been dedicated to the replacement of Skate Central or skateboarding as a sport?**
- Q. What amount of money does Council currently has in its budget for the construction of a new concrete skatepark in the 2019-2020 FY budget?**
- Q. What efforts is Council currently engaged in to ensure the replacement of Skate Central is adequately funded? Can you please provide copies of any existing design concept (current or not) either produced in-house or externally, relating to the replacement of Skate Central (please include plans and images of the rumoured pre-fab 'pump-track' proposal for Montrose Bay.**
- Q. Can you please provide copies of any official minutes related to the discussion and decisions made by Council relating to the replacement of Skate Central?**
- Q. Can you please provide any documentation relating to the process and by whom the decisions were made, as to the valuation of the Skate Central facility prior to its destruction, and how Council had planned on making up the shortfall to replace the facility?**

- Q. Can Council please provide a copy of the report, and identify the group or individuals referred to as "Councils Advisers" (from early 2016) for the Council to issue the statement that : the report from Councils Advisers, stated that the Glenorchy Bowl was an unused facility and was way too gnarly for the average skateboarder, and recommend it not be replaced.**
- Q. Will the Council engage in a genuine consult with users of a future skate park? Who are you inviting and how do you plan to reach the appropriate audience?**
- Q. What will the consult look like?**
- Q. How can the community be reassured the Council will not present them with the Council's preferred option of Montrose Bay Park?**
- Q. Skate Parks are expensive is the Council planning to apply for more funding- given the Rosny skate park was \$1.4m 3 years ago?**
- Q. A playground was supposed to be built in front of the GCC chambers-would council now consider a skate park in this space? If this is a no, will Council give genuine consideration to solutions presented by the community?**
- Q. How much interest did the \$250,000 earn whilst sitting in the bank?**
- Q. How will GCC be inviting residents etc. to be involved in the process?**
- Q. How will GCC determine whether people employed to construct the skate park are adequately experienced in building a skate park?**
- Q. Will the GCC establish a balanced group of key stakeholders to be on the committee to make decisions about the skate park process?**
- Q. When will the GCC be briefing residents about the options for the location of the new skate park?**
- Q. How will the GCC ensure that it is a transparent process?**
- Q. How will GCC mitigate against conflicts of interest?**
- Q. Given the interest by long standing advocates for GCC replacing the skate park and the increased interest from a range of people over the years and currently will GCC be applying for additional funding to ensure that we have an appropriate skate park for everyone?**
- Q. GCC have stated that they have conducted community consultation previously will interested people be provided with copies of this process?**
- Q. Will the GCC post on the New Glenorchy Skate Park FB page to keep everyone informed?**

The questions were taken on notice and will be answered at the next Council meeting.

Shane Alderton, 296 Main Road, Austins Ferry (from 29 July 2019 Council meeting)

Q. Item 9 on tonight's agenda is about Customer Complaints from 2018/19. The KPIs state that you have received 18 or 19 complaints and that you have responded to 88 or 90% of those complaints within time. The number of complaints seems to be quite low, so I was wondering what constitutes an actual complaint?

A. The question was taken on notice.

Darrell Vincent, 36 Teering Road, Berriedale

Mr. Vincent advised that recently a volunteer driving a St John's Ambulance vehicle was unable to find a parking space outside the Glenorchy Eye Clinic and parked illegally near the building on Main Road, for which he received a parking infringement notice and a \$128 fine.

Q. What options does Council suggest for disability parking other than parking illegally or receiving a parking infringement notice and refusing to pay it?

A. (Mayor) There's often a reason why it is illegal to park in some places, and this is usually because it creates a hazard. Parking on footpaths in particular creates safety issues on our streets. We do enforce our parking laws and regulations and issue infringement notices where this is appropriate. It's not just about revenue raising, it's about the safety of our residents and people living in our city.

Council is aware of the need to provide disability parking spaces and we take that into consideration with new developments. Council receives advice from its Access Committee about access issues for disabled people in our city.

The question was taken on notice to provide further information about the parking arrangements around the eye clinic.

Pam Harvey, 32 Katoomba Crescent, Montrose

Q. Mrs. Harvey noted that there was limited disability parking near public toilets in Glenorchy and asked what Council was doing to address this.

A. (Mayor) Council is currently developing its public toilet strategy and is inviting direct feedback from the community. The strategy will include a review of parking near public toilets and also the facilities that are provided and determining if public toilets are in the right locations. We are aware that there is no disability parking near the toilets at the back of Council's Chambers but there are parking spaces right next to them. There are also disabled parking spaces in Moonah near the public toilets.

We will take your feedback onboard as part of the development of our strategy.

James Bryan - 14 England Avenue, Montrose

Q. In the Mercury there was an article about the withdrawal of the Huskies basketball team from the NZNBL competition. It was report that a spokesman of the GCC the huskies owe just under \$20,000 for use of the DEC. What it the current situation, has the debt been repaid and if not what processes are in place to recover this debt?

A. (Mayor) The debt was approximately \$19,900. Council has received a payment of \$19,000 from the Huskies, and there is still approximately \$900 outstanding. That amount will be recovered through our normal debt recovery processes.

Q Recently, The Mercury published an article on the gift registers that councils are required to maintain and publish on their websites. When did the current register of Gifts and Benefits on Council's website open? How long does the register remain open? Is it permanent or the term of this Council and is the register archived?

A. (Mayor) Council's policy is to refuse gifts where possible. In The Mercury it was reported that I had declared a gift of pearl earrings and surrendered them to Council. On that occasion, a thank you would have been enough, but it was insisted that I accept that gift, so I did and immediately surrendered them to Council. They are now located at Council's chambers and are available to donate onto a future charity event, so that benefit can be passed on to our community.

The question was taken on notice to provide further information.

Q. Service levels for Council's public toilets and were added to Council's website in May. However they do not inform us as what the operational maintenance levels are. What is the schedule for inspections and maintenance of playgrounds, is it daily, weekly or is it not scheduled? Concerns are in the soft fall surfacing. Considering there are 50 parks or reserves in Glenorchy area and some 44 have playground equipment, has the playground equipment in Glenorchy been evaluated against the AS4685 for playground equipment and surfacing Standards?

A. (Mayor) The service levels on Council's website describe the way we would go about providing services to our community and gives us a broad understanding of those levels. We have whole range of parks and facilities and reserves across the city and some of those are checked more regularly than others. There are some that get heavy use and are inspected more regularly and others that get very little use and are on a different regime and are on a different inspection schedule.

The question was taken on notice to provide further information.

Shane Alderton, 296 Main Road, Austins Ferry

Q. When will I receive an answer to my question regarding Customer Complaints that I asked at the July Council meeting?

A. (Mayor) We identified that the answer was missed from the minutes this afternoon and an answer will be provided soon.

Q. In relation to the current issues with SKM Recycling, what is happening to the recycling that is currently being collected from residents and where is it being stockpiled?

A. (Mayor) Council's kerbside recycling collection goes, to and has always gone to, SKM's facility at Derwent Park. Once there it's processed and sorted into the four streams (plastic, aluminium, cardboard, glass) and they go to various different places. For example glass is sent somewhere local, whereas plastics, cardboard and aluminium are sent to Victoria. It's currently business as usual at the Derwent Park plant, even though there is currently a larger stockpile than usual. The four metropolitan Councils have been working together to try to negotiate first with SKM and then with KordaMentha, SKM's appointed administrators, reduce those stockpiles and ensure that the Derwent Park facility can continue to accept recycling and remain open.

Q. Apart from the \$35 FOGO charge on rates notices, will Council be passing the rollout costs of the FOGO service onto its ratepayers as part of the service? If so, how long will this charge occur to recover costs?

A. (Mayor) There are two costs involved in the FOGO Service, the capital cost and the operational cost. The capital cost will cover the rollout of the bins, the liners and caddies are one-off cost costs, but there also the ongoing operational service cost to cover weekly collection, as there is with recycling and garbage collection services.

The question was taken on notice to provide further information.

Q. Once the FOGO recovery costs are achieved, will Council return a profit from this FOGO service?

A. (Mayor) Council is very unlikely to return a profit. Waste management is becoming more and more expensive, particularly around the disposal at landfill and recycling facilities and, as we've seen in the last couple of weeks, is highly vulnerable to cost increases. The FOGO service will be on a cost recovery basis.

Q. If Council were to wait and implement FOGO as a collaborative service with other Councils, would the potential saving cost of up to \$16 per recipient per year (stated in Council's May business case) be passed on in reduced charges to ratepayers for this service?

A. (Mayor) Council has been collaborating with other Southern council's to reduce the cost of the service, however I can't disclose the confidential nature of the discussions with other Councils.

The question was taken on notice to provide further information.

Eddy Steenbergen, Mary's Hope Road, Rosetta

Q. In relation to the CBD Revitalisation Project and public art, will the public have any say in this decision? I understand that Matt Calvert, the artist, is going to put up forward some concepts designs, and a decision will be made. Will public have a say in that decision?

A. (Director Community and Customer Services) The public art component for the CBD Revitalisation project is a small part of the overall project and has been going for some time. The original steering committee for the CBD project, which involved community members and officers, considered what the role out of that public art in the project would be and formed a panel that included officers and the Glenorchy Arts and Culture Advisory Committee (GACAC). There was an open public expression of interest process for artists. Two artists were shortlisted and presented to that panel, which selected Matt Calvert. Matt has now gone through a community consultation process over the last two months and will present his final proposal to the panel this Friday.

The general public will not be involved in the final decision, however members of the public have been involved at various stages, originally through the CBD Revitalisation steering committee, then as members of GACAC being appointed on selection committee for the piece of public art, and also through the community consultation undertaken by Matt Calvert.

Q. In Item 9 on tonight's agenda (Police and working with vulnerable people checks for committee members) it states that members of Special Committees are effectively volunteers of Council. What insurance coverage does Council have for anyone that operates as a volunteer in any Council operations?

A. (Mayor) Council does have appropriate insurance coverage in place for its volunteers, however I don't have the exact details right now.

The question was taken on notice to provide further information.

Q. The Local Government Association of Tasmania community satisfaction survey been conducted and the results are out. Did Council learn anything from this survey?

A. (Mayor) Council had a workshop this afternoon on this issue and we were taken through the results of the survey. Council also conducted an additional survey where we asked questions above and beyond what the sector asked, and were talked through the results of that survey and what they mean, as well as the process that the consultant went through to engage with the community.

Council will give those results further consideration and they will be presented at the September Council meeting.

Q. What do the supplementary questions that Council asked relate to?

A. (Mayor) A whole range of issues, and we will provide them to you at the September Council meeting. There were some sector-wide questions which provided us with an indication of where we are sitting with other councils, but there were other ones that were specific to Glenorchy.

7. PETITIONS/DEPUTATIONS

Petitions

The following petitions were tabled:

- Petition from Bradley McDougall “Regarding the roll out of Food Organic and Green Organic (FOGO) bins” containing 1,040 signatures, and
- Petition from Amanda-Sue Markham entitled “Scrap the FOGO Tax” containing 328 signatures (at the time of publication of this agenda).

STEVENSON/KING

That Council receive the two petitions.

The motion was put.

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

AGAINST:

The motion was CARRIED.

Deputations

Council received deputations from:

- Kaye Smith of Constance Avenue, Glenorchy, regarding the two petitions tabled at the Council meeting and other matters related to Council's FOGO service, and
- Shane Alderton of Main Road, Austins Ferry, regarding Council's FOGO business case and other and other matters related to Council's FOGO service.

COMMUNITY***Community Goal: "Making Lives Better"***

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive the announcement of events attended by the Mayor for the period from 18 June to 18 August 2019.

Resolution:

THOMAS/BULL

That Council:

RECEIVE the announcements about the activities of the Mayor's office during the period from 18 June to 18 August 2019.

The motion was put.

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

AGAINST:

The motion was CARRIED.

9. POLICE AND WORKING WITH VULNERABLE PEOPLE CHECKS FOR COMMITTEE MEMBERS

File Reference: Working with Vulnerable People

Reporting Brief:

To report to Council on the mechanism for requiring members of Council committees to have a working with vulnerable people check or police check.

Resolution:

RICHARDSON/KING

That Council:

REQUIRE the development of an internal policy (in the form of a General Manager's Directive), or the amendment of an existing internal policy, that sets guidelines for when contractors or volunteers of Council (including members of special committees) are required to obtain a national police check or working with vulnerable people registration.

The motion was put.

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

AGAINST:

The motion was CARRIED.

10. GLENORCHY EMERGENCY MANAGEMENT ARRANGEMENTS

File Reference: Emergency Management

Reporting Brief:

To brief Council on the appointment and constitution of a new internal Emergency Management Team by the General Manager.

Resolution:

FRASER/RICHARDSON

That Council:

NOTE the General Manager's appointment of a new Emergency Management team.

The motion was put.

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

AGAINST:

The motion was CARRIED.

ECONOMIC

Community Goal: "Open for Business"

11. CBD REVITALISATION PROJECT - STAGE 3A COMPLETION REPORT

File Reference: CBD Revitalisation

Reporting Brief:

To provide a report on the completion of Stage 3A of the CBD Revitalisation Project, and brief Council on the process for commissioning and installing public art as part of the project.

Resolution:

FRASER/RICHARDSON

That Council:

RECEIVE and NOTE the CBD Revitalisation Project Stage 3A Completion Report for the period from January 2019 to July 2019.

The motion was put.

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

AGAINST:

The motion was CARRIED.

ENVIRONMENT

Community Goal: “Valuing our Environment”

12. INVESTIGATION INTO THE DISPOSAL OF PUBLIC LAND

File Reference: Council Land - Disposal and Sale

Reporting Brief:

To obtain Council’s endorsement to commence an investigation into the disposal of seven (7) underutilised Council properties at the following locations in accordance with the procedure previously endorsed by Council:

- 3 Edgar Street, Claremont
- 9 Barclay Crescent, Rosetta
- 5a Taree Street, Chigwell
- 14a Colston Street, Claremont
- 15 Hestercombe Road, Granton
- 345 Main Road, Glenorchy, and
- 1 Bournville Crescent, Claremont.

Resolution:

STEVENSON/DUNSBY

That Council:

1. ENDORSE the commencement of investigations into the potential disposal and rezoning of the following Council owed land (**the Land**):
 - a) 3 Edgar Street, Claremont (Public Open Space to General Residential)

- b) 9 Barclay Crescent, Rosetta (Public Open Space to General Residential)
 - c) 5a Taree Street, Chigwell (Public Open Space to General Residential)
 - d) 14a Colston Street, Claremont (Utilities to General Residential)
 - e) 15 Hestercombe Road, Granton (Public Open Space to General Residential)
 - f) 345 Main Road, Glenorchy (Utilities to Central Business), and
 - g) 1 Bournville Crescent, Claremont (Public Open Space to General residential)
2. AUTHORISE Council staff to undertake a community engagement process to identify any concerns about the potential disposal of the Land before commencing with the statutory processes for public land disposal and land rezoning, and
2. REQUIRE a further report to Council summarising the feedback received (and identifying any concerns) and seeking approval to proceed with the statutory processes for public land disposal and land rezoning for the Land.

The motion was put.

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

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal: "Leading our Community"

13. FINANCIAL PERFORMANCE REPORT TO 31 JULY 2019

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the period ending 31 July 2019.

Resolution:

BULL/DUNSBY

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 31 July 2019 in the form of 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 update Council on the progress of implementing the Ministerial Directions for the period ending 13 August 2019.

Resolution:

THOMAS/STEVENSON

That Council:

1. NOTE the progress satisfying the Ministerial Directions as at 13 August 2019, and
2. RECEIVE the Ministerial Directions Implementation Report for July 2019 in the form of Attachment 1.

The motion was put.

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

AGAINST:

The motion was CARRIED.

15. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of exemptions that have been applied to the procurement requirements under Council's Code for Tenders and Contracts for the period 20 June to 13 August 2019 and provide updates on other relevant procurement matters.

Resolution:

RICHARDSON/DUNSBY

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 20 June to 13 August 2019.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

Question on Notice - Alderman Carlton

Q. The Glenorchy Council Website currently states an intention to advertise planning applications online soon (<https://www.gcc.tas.gov.au/planning-and-development/planning/planning-applications.aspx>)

Can an update please be provided on progress towards this and where this action sits in the annual plan for on-going progress reporting and updates?

- A. We expect to begin publishing active applications on our website within a month. Preparations are progressing, however there are still some decisions to be made around the format that the information will be displayed in and downloaded and ensuring that there appropriate procedures are in place to make sure that the service is delivered consistently (for example, if a staff member is on leave). In the meantime, planning applications are regularly posted on Council's Facebook page to increase their visibility.

There is no specific Annual Plan action assigned to this process, however it falls within the scope of the following actions under the 'Open for business' and 'Leading our community' community goals:

Open for business

- 2.1.1.02 Improve information, processes and facilitation of development
- 2.2.1.01 Progress major projects in the municipality
- 2.2.1.02 Facilitate major developments and investments that contribute ongoing benefits to Glenorchy

Leading our community

- 5.1.1.06 Develop a whole of Council communications plan to actively promote Council's activities and achievements

Resolution:

KING/BULL

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

Resolution:

STEVENSON/KING

That Item 20 (General Manager's Annual Review) be dealt with after Item 21 (Notices of Motion - Questions Without Notice/On Notice) on the agenda.

The motion was put.

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

AGAINST:

The motion was CARRIED.

17. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

BULL/DUNSBY

That the minutes of the Council Meeting (Closed Meeting) held on Monday, 29 July 2019 be confirmed.

The motion was put.

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

AGAINST:

The motion was CARRIED.

18. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal: "Leading our Community"

16. AUDIT PANEL MINUTES

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

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

The General Manager declared an interest in the following item and left the meeting at 8.04 p.m.

All Council officers left the meeting at 8.04 p.m.

20. GENERAL MANAGER'S ANNUAL REVIEW

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(a) (Personnel matters, including complaints against an employee of the Council and industrial relations matters).

Resolution:

KING/BULL

That Council move to 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 8.15 p.m.

Confirmed,

CHAIRMAN