

COUNCIL AGENDA

MONDAY, 26 NOVEMBER 2018



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

A handwritten signature in blue ink, likely of Tony McMullen.

Tony McMullen
General Manager

21 November 2018

Hour: 6.00 p.m.

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 5 November 2018

Purpose: To discuss:

- MONA Presentation
- Strategic Plan

Date: Monday, 19 November 2018

Purpose: To discuss:

- CBD Revitalisation Update on Design and Communications
- Status Updates

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1. APOLOGIES

Aldermen M. Carlton, S. King and G. Richardson.

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 29 October 2018 be confirmed.

That the minutes of the Special Council Meeting held on 19 November 2018 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question on Notice - Bob Holderness-Roddam, Austins Ferry
(received 23 September 2018)

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

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

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

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

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

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

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

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

Rate/Charge	Hobart	Glenorchy
General Rate	\$1,224 (based on 8.16 cents in the dollar, AAV)	\$1,340 (based on 8.937 cents in the dollar, AAV)
Fire Services Levy (GCC) / Fire Service Rate (HCC)	\$202.50 (based on 1.35 cents in the dollar, AAV)	\$27.46 (based on 0.1831 cents in the dollar, AAV)
Stormwater Removal Service Rate	\$70.50 (Based on 0.47 cents in the dollar, AAV)	n/a

Rate/Charge	Hobart	Glenorchy
Waste Management Service Charge	\$250	\$233.90 (based on a standard fortnightly collection of a 240 litre waste and recycling bins)
Green Waste Management Service Charge	\$50 (optional)	n/a
Landfill Rehabilitation Service Charge	\$10	n/a
Total:	\$1,807.00	\$1,601.36

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

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

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

Question on Notice - James Bryan, 14 England Avenue, Montrose
(answered at 29 October 2018 Council meeting)

Q. In the 2015/16 Annual report it is stated that,

"During 2014-15 the sale of one property at 404-408 Main Road Glenorchy resulted in a net loss of \$998,754."

Could Council please explain how this occurred ?

Actual figures or any information that is considered commercial in confidence is not required, rather was it because:

- 1: The property was sold for less than the original purchase price?**
- 2: The property was sold for less than its valuation, government or market?**
- 3: The cost of any major work expended to prepare the property for sale was in excess of the price achieved at sale?, or**
- 4: Another reason?**

A. The property at 404-408 Main Road Glenorchy was sold to the State Government Department of Health and Human Services for the development of the Integrated Care Centre that opened in 2017.

Settlement was completed on 30 June 2015 with Council receiving consideration comprised of:

- the sale price
- a grant for the redevelopment of a community park, and
- a further grant for the relocation of existing tenancies on the site.

The reported loss of \$940,000 was based on a comparison of the above amounts with the value of the land and the written down value of the buildings that were recorded in Council's asset registers at the time.

The difference between the land and building values recorded in Council's asset registers and the sale price is an accounting adjustment and does not represent a loss of cash.

The 'loss' is therefore a loss for accounting purposes, and not a loss caused by the property being sold for less than Council purchased it for. The values of the land and buildings for the property in Council's asset registers would have been revalued over many years and appear to have been overvalued.

It should also be noted that value of an asset in Council's asset management system is different to the market value of an asset. When considering whether to dispose of the Land, Council commissioned a market valuation of the property which was carried out by an externally engaged valuer.

The sale price that was achieved was the same as the valuation. As noted above, Council also secured additional benefits in the form of the two grants.

In response to your specific queries, therefore:

1. **[Was the \$940k loss because] the property was sold for less than the original purchase price?**

No. The loss was a loss caused by an accounting adjustment and was not a 'cash' loss.

2. **[Was the \$940k loss because] The property was sold for less than its valuation, government or market?**

The property was sold for an amount consistent with the market valuation that was carried out for the purpose of the sale. The value in Council's asset register was higher than the market valuation, however that value was not prepared for the purposes of a market assessment and was also likely to have been overvalued.

3. **[Was the \$940k loss because] The cost of any major work expended to prepare the property for sale was in excess of the price achieved at sale?**

No, there was no major work undertaken to prepare the property for sale. There were some minor expenses involved in real estate and consultancy fees, but these were not the reason for the loss.

4. **Another reason?**

The reasons for the loss recorded in the 2015/16 Annual Report are explained above.

Question on Notice - James Bryan, 14 England Avenue, Montrose

(answered at 29 October 2018 Council meeting)

Q:

DERWENT ENTERTAINMENT CENTRE MANAGEMENT AUTHORITY

Report for the year ended 30 June – 1996

Presented to both Houses of Parliament and the City of Glenorchy pursuant to section 24 (1) of the *Derwent Entertainment Centre Authority Act 1988* (Copy available from the Tasmanian Parliamentary Library).

On Page 8 of this report is the following:

"According to our Strategic Plan, during the year we have achieved the following objectives:

1. ***Negotiated the transfer of ownership of the Centre:-***
 - A) ***The control and ownership of the Derwent Entertainment Centre be vested solely in the Glenorchy City Council.***

- B) The Glenorchy City Council would continue to operate the Centre as an entertainment venue.***
- C) The State Government would provide a once-off grant to Council to meet construction defect remedy costs.***
- D) The Council continues to hold a 99 year lease over the Crown land surrounding the Centre and including Wilkinsons Point."***

1. When did the 99 year lease the Council had on this land (Volume No 110871 - Folio 1) cease to exist?

- A: The exact date that the 99 year lease was extinguished is not clear. However, it is a fact that that Council owns the land described (Volume 110871, Folio 1) **(the Land)** in fee simple. A copy of a current title search for the Land showing Council as the owner is Attachment 1.

It follows that at the time Council became the outright owner of the Land, any previous lease it may have held (as tenant) was extinguished. Council cannot lease the property to itself nor take a lease from someone else over property it in fact owns.

The lease to Council would therefore have ceased when the former Derwent Entertainment Centre Authority transferred the Land to Council in fee simple on 10 July 1997 (which was done pursuant to a sale agreement between the Authority and Council), although it may have been extinguished before that.

2. What documentation does the Council have to show that this has occurred as the LIST FOLIO PLAN downloaded on the 19 October at 7.51 pm for Volume number 110871 indicates that the OWNER is THE CROWN ?

(Please refer to attachments, see top left hand corner). Please note that this also lists F/R 33936/1 which is also crown land and on 1 March 1989 this land was acquired and gazetted for the following public purpose namely:- Recreation and Amusement (that is a Public Reserve). Reference: Page 351 Tasmanian Government Gazette 15th April 1989 See attached Folio Plan D33936 downloaded on 16 September 2018 at 7.46 p.m.

- A: The documentation that shows the lease no longer exists is the publicly available title search for the Land which indicates that the Land was transferred to Council in fee simple on 10 July 1997 (Attachment 1).

The document referred to in your email is Attachment 2. It appears to be a screenshot of part of the Folio Plan for the Land (**Folio Plan**). A complete copy of the Folio Plan is Attachment 3. A Folio Plan is not evidence of the ownership of a property. Evidence of ownership is established by a title search.

However, to address your query, it is understood that the part of the Folio Plan you are referring to is the following (outlined in red):

List...		FOLIO
		RECORDED
		Issued Purs
OWNER (THE CROWN)	LOT 1: THE DERWENT ENTERTAINMENT CENTRE MANAGEMENT AUTHORITY (A15687 & B751252) LOT 2: THE CROWN	
FOLIO REFERENCE F/R4651/45, F/R33936/1, NOTN. 24/6346, SURR. 31/9266 27A. APPN (C.192563)		
GRANTEE WHOLE OF LOT 1 7.165ha VESTED IN THE DERWENT ENTERTAINMENT CENTRE MANAGEMENT AUTHORITY PART OF 427AC. GTD. TO G.F. READ		
TASMAP CODE No 17 (SHEET No. 5225)	LAST UPI No 5832 5833	

That part of the Folio Plan shows that at the time the Folio Plan was prepared (which was prior to 29 July 1994) the Crown was the owner of the land. Immediately next the part you have referred to is the following (see red outline):

List...		FOLIO
		RECORDED
		Issued Purs
OWNER (THE CROWN)	LOT 1: THE DERWENT ENTERTAINMENT CENTRE MANAGEMENT AUTHORITY (A15687 & B751252) LOT 2: THE CROWN	
FOLIO REFERENCE F/R4651/45, F/R33936/1, NOTN. 24/6346, SURR. 31/9266 27A. APPN (C.192563)		
GRANTEE WHOLE OF LOT 1 7.165ha VESTED IN THE DERWENT ENTERTAINMENT CENTRE MANAGEMENT AUTHORITY PART OF 427AC. GTD. TO G.F. READ		
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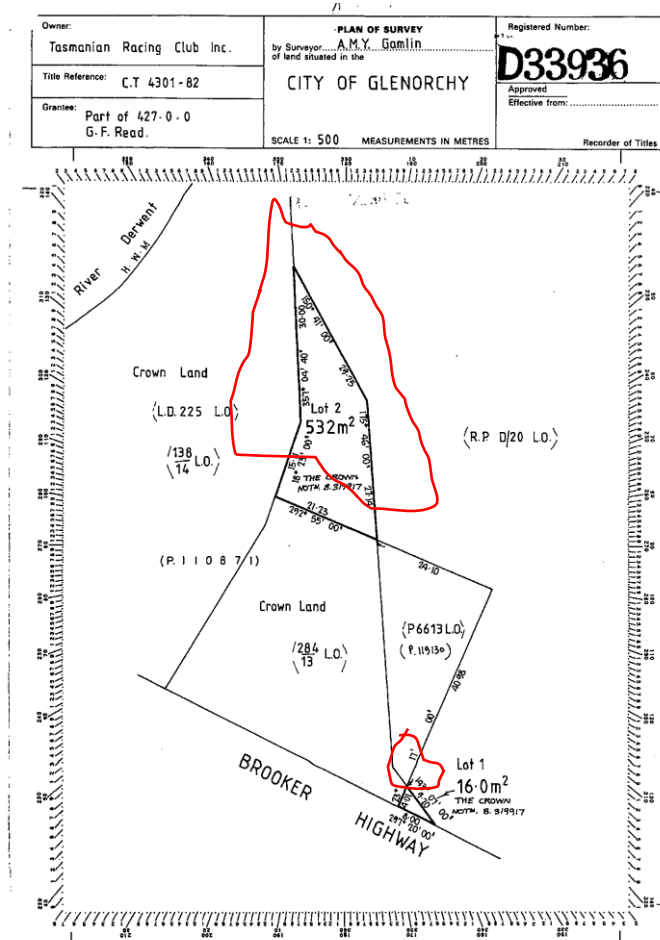
The area in red indicates that on the registration of the Folio Plan, ownership would vest in the Derwent Entertainment Centre Authority (**the DEC Authority**). The Folio Plan was registered on 29 July 1994 and created the parcel of land now known as Volume 110871, Folio 1 (i.e. the Land). On its creation, ownership of the Land vested in the DEC Authority. A copy of the dealing that vested the ownership in the Authority is Attachment 4. The transfer of the Land from the Crown to the DEC Authority was required under section 8 of the (now repealed) *Derwent Entertainment Centre Authority Act 1998 (the Act)*.

The DEC Authority subsequently transferred the Land to Council in July 1997, as noted above.

You also allege the following:

"Please note that this also lists F/R 33936/1 which is also crown land and on 1 March 1989 this land was acquired and gazetted for the following public purpose namely:- Recreation and Amusement (that is a Public Reserve). Reference: Page 351 Tasmanian Government Gazette 15th April 1989 See attached Folio Plan D33936 downloaded on 16 Sept 2018 at 7.46 p.m."

The gazette notice of 15 April 1989 that you are referring to and the plan referred to in it is Attachment 5. Under that notice, the Crown acquired (in 1989) the two small parcels of land outlined in red on the below plan:



Those two parcels of land are in the south eastern corner of the Land, abutting the Brooker Highway and comprise a total of 548m² (or approximately 0.76% of the total area of the Land). They became part of the Land when it was created on 29 July 1994.

Your assertion that because that 548m² of land was acquired for the public purpose of 'recreation and amusement' makes it a 'Public Reserve' is legally and factually incorrect. The two small parcels of land were acquired under the (now repealed) *Lands Resumption Act 1957*. Under section 13 of that Act, the Crown was required to identify the purpose for which land is being acquired. The use of land for a public purpose does not automatically make it a public reserve. For land to be declared a 'public reserve' an order is required to be given by the Minister under section 8 of the *Crown Lands Act 1976*. No such order has been given, either in respect of the 548 m², or over the balance of the Land.

While the Crown's rationale for stating the purpose as 'recreation and amusement' is not known, it may have been because the land that it was to form part of land that was already, at that stage, set aside for the DEC. The reason for its acquisition may have been to have been to straighten the boundaries of the DEC land, although this is also speculation.

3. This is part of the land (110871) [the 548m² discussed above] and is Crown land and is not able to be sold! Does the Council have documentation to show that is no longer Public Reserve?

This is not correct, for the following reasons:

- the 548m² parcel of land acquired in 1989 is not Crown land. It was incorporated into Volume 110871, Folio 1 (i.e. the Land) when that parcel of land was created on 29 July 1994. On creation, ownership of the Land vested in the Authority, which transferred it to Council in fee simple in 1997, and
- in any event, and as noted above, for any land to be declared a 'public reserve' an order is required to be given by the Minister under section 8 of the *Crown Lands Act 1976*. No such order has been given, either over 548m² acquired by the crown in 1989 or over the balance of the Land.

Accordingly, Council does not have documentation to show that this land is not a public reserve because the land is not, and has never been, a public reserve.

Question on Notice - Patrick Mineely, Glenorchy
(from 29 October 2018 Council meeting)

- Q. I note that despite Regulation 15(3)(c) of the *Local Government (Meeting Procedures) Regulations* which I have raised with Council officers directly both in writing and in person of my concerns and of my enquiries with the Local Government Directorate that all dealings involving the disposal of public lands ought be in open meeting, this council continues to conduct closed sessions on the subject matter namely the sale of the DEC when the words in the Regs are themselves very clear and unambiguous .**

For your convenience I have copied the sections under reference below:
under Item 23 of the Agenda Indicative Offer for the Derwent Entertainment Centre

r15 (3): Unless subregulation (4) applies, a council or council committee must not close a part of a meeting when it is –

(a) acting as a planning authority under the Land Use Planning and Approvals Act 1993 ; or

(b) considering whether or not to grant a permit under that Act; or

(c) considering proposals for the council to deal with public land under section 178 of the Act.

r 15(4): A council or council committee may close a part of a meeting when it is acting or considering as referred to in sub-regulation (3) if it is to consider any matter relating to –

(a) legal action taken by, or involving, the council; or

(b) possible future legal action that may be taken, or may involve, the council.

Accordingly I place on notice as a question on notice for this Council to explain at the Council Meeting October 29 2018 to the public why the Council believes it is not in breach of the *Local Government Act* and associated Regulations by conducting meetings in closed session on the sale.

- A. The Mayor advised that Council had referred Dr. Mineely's question to the Director of Local Government, and read the following advice that was received from the Director:

"I am satisfied that the Council has appropriately applied regulation 15(2) and (3) of the Local Government (Meeting Procedures) Regulations 2015 (the Regulations) for the meeting of 9 July 2018 to separate the discussion of the issue of the Council's decision on whether to sell public land, which was conducted in open session, from the Council's consideration of commercially sensitive information associated with the unsolicited offer to purchase the DEC, which was conducted in closed session.

In simple terms, there is implicitly a 'two staged' process – one is simply deciding to sell public land (in which case it should be an open process which allows objections and potential appeals). The second is consideration of specific offers or proposals to purchase the land (subject to there being a decision to do so and that decision has not been overturned on appeal).

In my view, it is appropriate that the Council has dealt with the decision in relation to its intention to sell public land in open session. Persons are able to object in relation to this intent and Council must consider any objections before making a decision. Persons are able to appeal to the RMPAT if they have made an objection and Council determines to proceed with the sale, but appeals can only on grounds limited to whether the sale of public land may cause the community to suffer undue hardship due to the loss of access or use of the land, or there is no similar facility available to users of the facility. This in my view does not extend to allowing persons to object to, or appeal against, specific proposals or offers to purchase the land, because the Councils consideration of a proposal or offer must be subsequent to the decision to sell having been made (and not objected to, or if objected to, the objection having failed).

A council may close part of a meeting for a reason specified in regulation 15(2) of the Regulations. In doing so, the Council noted in the agenda that it relied upon the following subregulations:

- *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.*

In my view, the Council is entitled to rely on 15(2)(c) and (g) of the Regulations in respect to its discussion of commercial-in confidence information in respect to the unsolicited offer for the DEC. I do not consider that 15(2)(f) is a relevant ground for moving this matter to a closed meeting. However, I do not consider this to constitute a breach of the Regulations as the remaining two grounds for closure are valid grounds."

Doug Richardson, Amiens Avenue, Moonah

(from 29 October 2018 Council meeting)

[Extract from the Mayor's letter to Mr Richardson]

Mr. Richardson raised a number of concerns about traffic safety in Amiens Avenue, Moonah and asked the following questions:

- 1. When Amiens Avenue was reconstructed, the consulting engineers, Johnston McGee and Gandy, in their general notes, stated that it should have two lanes and parking on one side. Why was this never implemented?**

- A: You may recall, in the early to mid-1990s, residents were concerned about excessive traffic speeds due to a very wide existing road, and that a higher than average number of vehicles were using Amiens Avenue as a 'rat run' through to Coleman St and Leonard Ave.

Following extensive consultation with residents, which included a public meeting held on 24 November 1997, the 'chicane' option was adopted by the elected Council at that time to provide for traffic calming devices in conjunction with the road width being reduced at the residential and business boundary.

Street visuals were designed to slow vehicle speeds to a target speed of 40 km/h. The road was subsequently narrowed to the Council residential standard of 8.4m, allowing through-traffic with cars parked on both sides of the street (to accommodate the parking demands from residents). A 15-meter dash-line was specified in the original design at the approaches to the central islands in each direction.

The short section from the Main Road intersection fronting the Doctors Surgery is a minimum of 10.8m, which narrows at the start of residential precinct (1 and 2 Amiens Ave), which allows for two full parks and two through-lanes.

To-date, there have been no major operational issues reported with only one reported crash on the road in the last five years and none at the junction of Coleman Street and Amiens Avenue. Council is therefore of the view that the project has been successful in achieving its goal of calming traffic along Amiens Avenue.

2. The slow points (solid white lines near the islands) were originally intended to be much longer but were then changed into broken white lines. Why?

- A: As noted above, a 15-meter dash-line was specified in the original design at the approaches to the central islands in each direction. The line marking was installed in accordance with the original designs.

If you can provide us with copies of the plans showing the longer unbroken white line which you believe was specified, we would be happy to investigate and provide further advice. However, I reiterate that Council is satisfied with the current operation of traffic control measures in the street.

3. Recently, Council painted one lot of yellow lines near one road island but no more line marking was done in the street. Why wasn't the line marking in rest of the street done at the same time for safety?

- A: I understand that following the on-site meeting you had with our technical officer, a new yellow 'no stopping' line was installed to prohibit parking adjacent to the southern-most chicane. This was done in consultation with the residents of adjoining properties. Existing line markings in the street remained in place.

Council has previously investigated the extent of the parking restrictions at the chicanes and is satisfied with the current arrangements. It is worth noting that Amiens Avenue has only a modest traffic volume relative to some other streets, and provides a property access function, meaning it can support an increase in-line with normal traffic growth/development in the city.

However, we are grateful that you have brought this potential concern among residents to our attention. We are, of course, willing to consider altering parking/stopping restrictions in the street if it can be demonstrated that this is necessary to address a problem.

While we cannot commit to any specific outcome, if it can be shown that the residents of houses which adjoin to the chicanes are supportive of extending the current parking restrictions to include the areas outside their properties, this would be taken into consideration.

I suggest that you put together a petition or other form of submission on behalf of all those residents indicating their support for a potential solution and provide it to Council so that it can be considered.

4. Is Council likely to do a study into the street, given that service vehicles from a nearby development will be entering and leaving Amiens Avenue into the congestion on Main Road. Will Council take the added traffic into the street on board?

A: A Traffic Impact Assessment was prepared by a suitably qualified engineering consultant and was submitted to and assessed by Council as part of the 'Korongee' development. It showed that only a limited number of service vehicles (approximately three vehicles per day) will use the Amiens Ave exit. This would only have a negligible impact on local traffic.

5. Does the Council condone their own work vehicles crossing onto the wrong side of the road islands? I noted that two Council trucks recently crossed onto the wrong side of the islands.

A: No. We were concerned to hear of these alleged breaches of traffic regulations by Council vehicles and have reminded all our staff of the importance of obeying traffic laws. Any Council staff member who is found to intentionally contravene traffic laws will face disciplinary action.

It is also concerning that some motorists do not comply with regulatory signage at the chicanes and are passing the islands on the wrong side, however infrequent instances of this occurring are inevitable (and largely unavoidable) wherever a chicane type traffic calming system is installed.

Council cannot enforce this breach of the road rules. However, we have passed your feedback onto the Glenorchy Police and have requested that they include Amiens Avenue in its street patrols to try and discourage this practice.

Geoff Lucas, 111 Blacksnake Lane, Granton

(From 29 October 2018 Council meeting)

[Extract from the Mayor's letter to Mr. Lucas]

Q. As a Council, are you planning to impose a \$2.8m provision [contingency budget] in the next financial year? If not, what is the process to remove it permanently from rates calculations?

A: It is neither possible nor appropriate for Council to speculate on what may be included in the 2018/19 budget. As I noted in my letter to you of 19 September 2018, Council's 2018/19 budget includes a \$2.8m contingency amount for potential liabilities that Council may face during the financial year.

If circumstances of the various matters change during the financial year, the funds allocated to the contingencies may be able to be redeployed to other services or projects in next year's budget. Council will examine this as part of its budget preparations.

Q. In the interests of transparency and fairness to the people of Glenorchy, when will matters such as KGV, potential claims against Council, and the Derwent Park Stormwater project that the \$2.8m contingency related to be put into an actual financial context so that the ratepayers know what they are paying for with the increase?

A: As I stated in my letter of 19 September 2019, I am unable to provide a detailed list of the matters to which the contingency amount relates, however can advise that it includes potential expenses related to:

- closure of the reuse component of the Derwent Park Stormwater Harvesting and reuse scheme
- potential legal claims against Council arising out of issues considered in the Board of Inquiry report, the Auditor General's report and the Integrity Commission Report (which I am unable to elaborate on)
- the ongoing problems with the KGV Sports and Community Precinct, and
- ongoing waste management challenges.

If it becomes possible to disclose financial details without exposing Council (and, by extension, the Glenorchy community) to potential liability or other detriment, we will consider releasing that information publicly.

However desirable that might be, it would be irresponsible of us to do so before then.

Q. At the Special Council meeting on the DEC, I'm sure that Council moved to put the Derwent Entertainment Centre on the Market. Has that happened?

A: I understand that you may be referring to the following part of Council's resolution made at the Special Council meeting held on 9 July 2018 (underlined words):

"That Council: ...

- 2. FORM an intention under section 178 of the Local Government Act 1993 (the Act) to dispose of public land, namely the Derwent Entertainment Centre, at 601 Brooker Highway Glenorchy, more particularly comprised in Certificate of Title Volume 110871 Folio 1 (and to sell the business operations as a going concern), subject to satisfactory resolution of the ongoing security of legal and permanent access referred to earlier in this report*

(a) In doing so, Council welcomes expressions of interest in the purchase of the DEC during the Section 178 consultation process."

The underlined words were added by an amendment to the original motion.

The resolution (which is publicly available on Council's website), is to the effect that Council would consider any expressions of interest from any potential purchasers, clarifying that Council was not required to deal exclusively with the Hydraplay consortium. The resolution did not require Council to take any further steps to solicit offers for the DEC.

Ultimately, no other expressions of interest had been received from any other parties at the time Council considered its disposal.

Q. Why was the question on notice from Mr. Holderness-Roddam related to rates comparisons between Glenorchy and Hobart Councils at the last meeting not published in answers to questions [in the meeting agenda]?

A: The answers to Mr Holderness-Roddam's questions were not included in the agenda due to an administrative error at the time of publication. However, as I noted at the meeting, they were provided in the minutes of the 29 October 2018 meeting, which are publicly available, and are therefore on the public record.

In the interests of transparency, we will re-publish the answers to Mr Holderness-Roddam's questions in the agenda for the upcoming November Council meeting.

Q. Why are responses to questions taken on notice not provided until after the following meeting? Can they please be provided in advance of the meeting?

A: We will do our utmost to ensure that answers to public questions are provided as soon as possible after the meeting. It is our usual practice that the answers are provided before the next meeting so that they can be included in the agenda. However, you will appreciate that the large volume of public questions that have been received over the past few months has led to an excessive workload for Council staff and consequent delays.

I note your concerns, however, about not having sufficient time to respond to questions and we will endeavour to provide more timely responses.

Q. Can answers to questions please be provided by email rather than in the post?

A: Yes, we always provide answers by email where possible.

However, I am advised that Council does not have an email address on file for you which is why previous answers have been delivered by post. Can you please supply us an email address for the delivery of future correspondence?

Janiece Bryan, 14 England Avenue, Montrose

(from 29 October 2018 Council meeting)

[Extract from the Mayor's letter to Mrs Bryan]

Q. Why were the attachments to the answers to the questions from James Bryan [which are provided above] not provided to me before today's meeting so that I could respond to them?

A. The large volume of questions that have been received from the public at recent Council meetings has led to an excessive workload for Council staff charged with administering Council meetings, and consequent delays in providing written answers to questions.

The process of answering public questions requires staff to collate the relevant information (which is often technical and requires input from multiple departments), draft a response and have the response checked for accuracy to ensure that Council is providing factually correct and transparent information. We take great pride in ensuring the accuracy of information we provide to the public.

The question you are referring to (about Council's ownership of the DEC) required a detailed response to be prepared, which took significant time and Council resources. This was the reason for the delay. The answer was sent to you by email at approximately 4:30 pm on the day of the Council meeting, although I understand that you did not receive it before the meeting. While we would have preferred to have provided it to you earlier than that, this was not possible for the reasons outlined above.

Janine Foley, 5 Bethune Street, Chigwell

(From 29 October 2018 Council meeting)

[Extract from the Mayor's letter to Ms. Foley]

DEC Ticketing Services Tender

Questions:

- 1. Explanation sought for reason for tender**
- 2. Disposal of public asset process in place – why wasn't tender held/stayed until outcome known**
- 3. How does this tender add value to the Glenorchy LGS ratepayer community**
- 4. Tender closed on 10/10/2018 – if/when public asset known as the Derwent Entertainment Centre is disposed of why has the Glenorchy City Council made ratepayers 'gift' a service to the new owners – this service is subsidised at the expense of the ratepayer base – explanation sought for GCC motivation/action/outcome?**

A: Tenders were called because Council's existing contract is due to finish. Ticketing services are required to continue at the venue regardless of any sale process. The timing (and outcome) of the proposed sale process is not known. The provision of ticketing services provides value by allowing the DEC to continue to operate as an entertainment venue.

By conducting a tender process, Council is not subsidising ticketing services. It is ensuring the continuity of a service which is essential to the ongoing operation of the DEC in accordance with its legal requirement to call for tenders.

Decommissioning of Derwent Park Stormwater Harvesting and Reuse Scheme

Questions:

- 1. Can Council indicate the point between 2015-2017 at which the decision [to decommission] was formed and on what basis (information the decommission process was investigated and an intent was formed to proceed with the decommission of this asset?**
- 2. How and when has KAB been informed of council decision**
- 3. Can Council confirm that issues around the potential of the Water Treatment Plant to act as a mitigator (i.e. provide local business with a potential competitive advantage) of any carbon offsetting process was fully and thoroughly investigated as part of the decommissioning process?**
- 4. Can Council confirm that the decommissioning does not relate in any manner to the operation of the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016*?**

5. Can Council explain the intended use for the site once decommissioning is complete?

A: Council will undertake an Expression of Interest process as part of the decommissioning of the plant. This will inform the view of the ongoing use of the plant site.

The decision to decommission the Scheme was made by Council on 28 May 2018 following an extensive investigation and significant efforts by Council to improve its viability. This included a review, during the operational phase, by a consultant into the feasibility of continuing the Scheme.

Council is working with and has informed the relevant stakeholders about the decision to decommission the plant.

The plant did not provide local businesses with a competitive advantage in respect to offsetting carbon emissions.

The decommissioning does not relate in any manner to the operation of the *Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016*.

Council will undertake an Expression of Interest process as part of the decommissioning of the plant. This will inform the view of the ongoing use of the plant site.

Use of Herbicides

Questions

- 1. Can council identify the location of the GCC 'Do Not Spray Register'? [mitigation inhale, ingest, absorb/ governance]**
- 2. Can council identify the location of the GCC 'Adverse Experience/Effects Register' and how monitor mechanisms inform and are reported to the APVMA's Adverse Experience Reporting Program (AERP)? [manage mitigation inform practice data lines]**
- 3. Can council identify the product that is applied throughout the Glenorchy LGA by council workforce and contractors? e.g. GLY- isopropylamine salt, GLY-trimesium and so on.**
 - 3a. Can council confirm compliance with the FAISD (Handbook of First Aid Instructions, Safety Directions, Warning Statements and General Safety Precautions for Agricultural and Veterinary Chemicals) Handbook - APVMA?**

- 3b. Can council confirm it is aware of the potential issues surrounding the APVMA's 'Final regulatory position: Consideration of the evidence for a formal reconsideration of glyphosate'. e.g.p.10 claims (see 1996 Monsanto Assurance of discontinuance pursuant to executive law§ 63(15). New York, NY, Nov. False Advertising by Monsanto Regarding the Safety of Roundup Herbicide (Glyphosate), and p.21 claims around NNG, and p.29 citations Greim et al (2015) and issues around the JMPR.
4. Can council identify the surfactant used in product? e.g. POEA
5. Does council add a dye to treated areas so that members of the public know an area has been treated (poison applied) and avoid it?
6. Can council identify the source it will rely on to justify exposure to children and pregnant women? What authority expressly justifies/proves a safe exposure level for children?
7. Can council identify how it forms the opinion that herbicides it uses pose no risk to users of those areas?
8. Is council aware that in "2016 New South Wales insurance body State Cover warned local councils to investigate other options to control weeds. "It is recommended that councils take a cautious approach and investigate their use of glyphosate and other hazardous chemicals used for weed control," State Cover told local NSW councils in a fact sheet. Public safety lawyer Dimi Ioannou from Maurice Blackburn said council workers could potentially sue their employers in the future if they developed a significant injury as a result of handling the product."? Worksafe Victoria updated glyphosate information in 2017.
9. When did council last audit practices around use of herbicides? Where is the policy relating to herbicide use in the Glenorchy LGA located? Is GCC LGAT compliant? Does LGAT have a policy relating to herbicide usage?
10. Could council provide information from current SDS relating to 8. Exposure Controls/ Personal Protection and 12. Ecological Information noting questions 6 and 7 above. Can council confirm that it has sought information/advice relating to the formulation of the SDS in the light of the result of Johnson v Monsanto.
11. Can council explain how it manages those containers - Fast Action Roundup ready to use weedkiller SDS prepared by Scotts, Infosafe No: LQ1DZ-classified as P501 'controlled waste'. This SDS states that contents and containers should be taken to an 'approved waste disposal plant'. p2/8., and disposed of 'in accordance with all applicable local and national regulations.'p.7/8. Can council identify those local regulations it must comply with in relation to issues identified in this SDS? is council currently compliant with those requirements?

- A: Council's use of herbicides, including Glyphosate, is carefully managed to ensure the safety of our workers and the community. We minimise the use and only use them where it is appropriate to manage the maintenance of our assets.

Council has safe operating procedures in place, and in using chemicals we follow the manufacturer's instructions and wear appropriate personal protective equipment. We do not have designated no spray areas, however we train our personnel in the application and use of chemicals and only spray at appropriate times to minimise overspray.

Council continues to be open in respect to how we continue to maintain our assets. We are looking for the best way to deliver services to the community. We are familiar with alternative and where practicable we do this (e.g. mowing vegetation rather than spraying, use of bioactive / frog friendly alternatives in and around waterways).

6. PUBLIC QUESTION TIME (15 MINUTES)

Please note:

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

7. PETITIONS/DEPUTATIONS

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

Author: Mayor (Ald. Kristie Johnston)
Qualified Person: General Manager (Tony McMullen)
ECM File Reference: Mayoral Announcements

Community Plan Reference:

Under the City of Glenorchy Community Plan 2015 – 2040, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Objective 4.1 Govern in the best interests of the community
Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Reporting Brief:

To receive the announcement of events by the Mayor.

Proposal in Detail:

The following is a list of events and meetings the Mayor has attended during the period from Tuesday, 23 October 2018 and Monday, 19 November 2018.

Tuesday, 23 October 2018

- Presented the Safer Schools Awards to 63 local students

Wednesday, 24 October 2018

- Attended a meeting with the Football Federation of Tasmania
- Attended the National Children's Week Celebration and Teddy Bears' Picnic
- Attended a meeting with a resident

Thursday, 25 October 2018

- Participated in the 2018 BBX Royal Hobart Show 'Celebrity Ice-Off Cake Decorating Competition'
- Participated in the 2018 BBX Royal Hobart Show 'Celebrity Saw-Off Competition'
- Attended the 2018 BBX Royal Hobart Show Official Luncheon

Friday, 26 October 2018

- Interviewed by Southern Cross TV and Win TV regarding RAST plans
- Joined the Benjafield Childcare Centres PJ Day and read stories to the children

Sunday, 28 October 2018

- Officially welcomed the participants of the 2018 Variety Club Big Bash to Glenorchy City

Monday, 29 October 2018

- Chaired the Council Meeting

Tuesday, 30 October 2018

- Attended a meeting with representatives of the Riverfront Hotel
- Attended a meeting with a business representative

Thursday, 1 November 2018

- Attended the Claremont College 2018 Graduation Ceremony of VET Certificate 1 in Defence Force Cadets

Friday, 2 November 2018

- Attended a meeting with the Variety Club of Tasmania
- Attended the Dominic College School Fair

Monday, 5 November 2018

- Chaired a Council Workshop
- Chaired the General Manager's Performance Review Committee meeting

Tuesday, 6 November 2018

- Participated in Triple M's 'Angry Bird' segment

Wednesday, 7 November 2018

- Guest speaker at the Glenorchy School for Seniors
- Attended a meeting with a resident
- Attended a meeting with a business representative
- Attended a meeting with representatives of the Riverfront Hotel and the Glenorchy Historical Society
- Attended the Guilford Young 2018 Graduation Ceremony and Full Mas

Thursday, 8 November 2018

- Attended a meeting of the metropolitan mayors (Hobart, Glenorchy, Kingborough and Clarence)
- Attended the City Deal Meeting with the metropolitan mayors, Minister Gutwein, and Minister Tudge
- Participated in a joint media event post the City Deal meeting

Friday, 9 November 2018

- Guest speaker at the Official Opening of the Glenorchy Healthcare Centre by Minister Ferguson
- Attended a meeting with a resident
- Spoke to Grade 6 Austins Ferry Primary School children who visited the Council Chambers

Sunday, 11 November 2018

- Attended the Claremont RSL's Remembrance Day Service at the Claremont War Memorial and laid a wreath on behalf of the City
- Attended the 100th Anniversary of Poland Regaining Independence Celebrations and laid a wreath on behalf of the City at the Memorial Service

Monday, 12 November 2018

- Chaired the Glenorchy Planning Authority meeting

Tuesday, 13 November 2018

- Attended a meeting of the greater Hobart metropolitan mayors
- Attended a meeting with representatives of Dominic College
- Attended the Department of Education 2018 State-Wide NAPLAN Achievement Awards

Wednesday, 14 November 2018

- Attended the Official Opening of CatholicCare's Therapeutic Residential Care home in Chigwell

Thursday, 15 November 2018

- Attended a meeting with a business representative
- Attended the Greater Glenorchy Group meeting

Friday, 16 November 2018

- Attended an interview with ABC Breakfast host Ryk Goddard
- Attended a meeting with Kingborough Mayor, Dean Winter
- Attended a meeting with representatives of Riverfront Hotel and the Glenorchy Historical Society
- Attended the Official Launch of the 2018 Vinnies Christmas Appeal
- Attended the 2019 Australian of the Year Awards for Tasmania at Government House
- Attended the Hobart Northern Suburbs Rail Action Group Inc Annual General Meeting
- Attended and presented awards at the 2018 City of Glenorchy Excellence Awards

Saturday, 17 November 2018

- Attended the Official Launch of the ABC Giving Tree Appeal
- Attended the Holy Dragon and Lion Dance Eye-Dotting Ceremony for the 2018 Hobart Christmas Pageant

Sunday, 18 November 2018

- Guest Speaker at the 50th Anniversary of Lady Clark Retirement Village

Monday, 19 November 2018

- Attended the International Mens' Day BBQ Blokes Breakfast
- Attended a meeting of the metropolitan mayors
- Attended the STCA Mayors' Roundtable
- Attended the STCA General Meeting
- Attended the STCA Annual General Meeting
- Attended a meeting with representatives of CatholicCare
- Chaired the Council Workshop
- Chaired the Special Council meeting

Numerous internal Council meetings and administrative duties were also undertaken.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

RECEIVE the announcements about the activities of the Mayor's office during the period from Tuesday, 23 October to Monday, 19 November 2018.

Attachments/Annexures

Nil

9. COUNCIL DONATIONS AND SPONSORSHIPS

Author: Coordinator, Community Planning and Engagement (Andrea Marquardt)

Qualified Person: Director, Community and Strategy (David Ronaldson)

ECM File Reference: General Donations and Fundraising

Community Plan Reference:

Making Lives Better

There will be community services and programs for people of all ages and abilities to connect, support and make lives better.

Strategic or Annual Plan Reference:

Making Lives Better

- Objective 1.2 Support our communities to pursue and achieve their goals
- Strategy 1.2.1 Encourage and support communities to express and achieve their aspirations
- Strategy 1.2.2 Build relationships and networks that create opportunities for our communities
- Strategy 1.2.3 Promote creative expression and participation and life-long learning as priorities for our communities.

Reporting Brief:

To brief Council on the current sponsorships and donations made to individuals and community organisations through Council's Community Planning and Engagement section. This report also recommends an additional 3-year agreement with the Glenorchy Community Fund, and minor updates to the student support/bursary program and the Mayor's Charitable Fund.

Proposal in Detail:

Glenorchy City Council currently delivers donations and scholarships to individual community members and organisations/schools located in the Glenorchy municipality. The donations and scholarships are co-ordinated through the Community Planning and Engagement section within the Community Department, and currently total \$21,500.

Several of the current donations and sponsorships do not have any formal agreements or guidelines and have not been reviewed for a number of years.

Current donations and sponsorships are as follows:

What	Funding	Purpose
Glenorchy Community Fund Contribution	\$4,000 per annum (3-year commitment ending 2019/2020)	to facilitate community-based initiatives in the City of Glenorchy
Student Support/Bursary Program	\$1,500 per annum	to encourage students in the municipality to attend year 11 and 12 and to improve the retention rate of students continuing on from year 10.
Eric Reece Scholarship	\$3,000 per annum (4-year commitment ending 2022)	to support a Glenorchy resident undertaking an engineering or earth sciences degree at the University of Tasmania.
Mayor's Charitable Fund	\$5,000 per annum	to support the achievements of Glenorchy residents in the areas of sporting, academic, cultural or civic events or youth leadership development pursuits.
Glenorchy City Concert Brass	\$7,500 per annum	to support the activities of the Glenorchy City Concert Brass Band

Glenorchy Community Fund

In August 2016, Council resolved to create a small, one-off, grants process to facilitate community-based initiatives based on the funding saved from discontinuing the Community Precinct Program ([Attachment 1](#)). It was agreed to redirect funds previously used to support the Community Precinct Program (\$4,000) to the Glenorchy Community Fund (**GCF**) annually for distribution through their funding program for a period of three years.

The GCF was set up to raise money for the provision of grants to community organisations for projects that benefit the people of Glenorchy City. The GCF provides a growing source of financial support to not for profit groups and organisations for worthy projects that will benefit and strengthen the community of Glenorchy. The GCF is endorsed as a Deductible Gift Recipient.

A Council officer from the Community Department participates in the GCF allocations process once per year. \$4,000 has been donated to the GCF in the 2017-18 and 2018-19 financial years with an agreement to review the allocation after two years.

Funding has been allocated as follows:

Year	Grant Recipient	Grant Amount	Total Grants Approved
2017	Glenorchy Golden Years - building sign	\$935	\$11,764
	Orchard Relocation Project	\$3,250	
	Story Island Project – booklets and t-shirts for Moonah Taste of the World Festival	\$2,109	
	West Moonah Community House Action Group – coffee machine for community café and barista training	\$3,500	
	St Francis Flexible Learning Centre – purchase of equipment for screen printing	\$1,970	
2018	Ten Lives Cat Centre – booklets for use in Glenorchy schools	\$3,500	\$16,464
	Paraquad Glenorchy – accessible kitchen equipment	\$1,257	
	St Johns Ambulance – lifesaving training for multicultural communities	\$2,967	
	YMCA – community garden project	\$1,740	
	Bee Literate – publishing of “bee book” to build community capacity	\$3,500	
	West Moonah Community Centre – web design for a food co-operative	\$3,500	

Through its contribution to the GCF, Council can equitably contribute to a wide range of community-based organisations through established processes. It is recommended that the agreement with the GCF be extended.

Student Support/Bursary Program

The Bursary Program was established in 1991 to encourage students to attend Claremont College with a view to improving the retention rates of students from year 10 to year 11 in the area.

The bursaries were originally provided to the three high schools in the municipality – Cosgrove High, Rosetta High and Claremont High Schools, with \$500 going to each school per year (\$250 per student). The bursaries (including the cash amounts provided) have not been reviewed since they were established, and Claremont High School is no longer open. Rosetta High School is now Montrose Bay High School.

Bursaries are currently awarded to outstanding students (with a high level of academic achievement) - one each from Cosgrove High and Montrose Bay High Schools - going on to Claremont College to a value of \$250 for years 11 and 12, provided the year 11 students have satisfactory progress and continue to year 12.

The \$500 that was allocated to Claremont High School is currently distributed to other local schools for their end of year school awards/assembly programs, with sponsorship ranging from \$50-\$100. There is no formal process in place for this to occur with requests coming in an ad-hoc manner from schools.

A Council officer from the Community Planning and Engagement section oversees this program and liaises with relevant Principals and school office staff as needed.

It is recommended that the current bursary program continues and that a process is established to formally offer all schools in the municipality (other than the two schools already receiving bursaries) an amount to support Council's commitment to lifelong learning. This would take the form of a prize/award at schools' end of year formalities. It is suggested that \$50 be provided to primary schools, and \$100 to high schools/colleges. This amount can be absorbed within the current budget.

Eric Reece Scholarship

The Eric Reece Scholarship provided through the University of Tasmania for a student living in the Glenorchy municipality commencing a course in engineering or earth sciences. The scholarship provides \$3,000 per annum for up to four years.

The next recipient of the Scholarship will commence in 2019 with the scholarship lasting until 2022. This was endorsed at the Council meeting of 30 July 2018 (Attachment 2).

Mayor's Charitable Fund

\$5,000 is available each year through the Mayor's Charitable Fund. Support is provided to assist individuals or teams who reside in Glenorchy and have been selected to represent their state nationally or their country internationally in significant sporting, academic, cultural or civic events or youth leadership development opportunities.

In previous years the following support has been provided:

2017/18	\$2,350 spent with 22 individuals receiving support to represent their state.
2016/17	\$2,900 spent with 25 individuals receiving support to represent their state/country.
2015/16	\$4,700 spent with 37 individuals receiving support to represent their state.
2014/15	full \$5,000 spent with 39 individuals receiving support to represent their state/country.

The Mayor's Charitable Fund is not formally advertised through any existing channels.

Council officers have recently reviewed the eligibility criteria and guidelines for the fund ([Attachment 3](#)) and recommend that the name of the fund changed to the Mayor's Sporting and Academic Fund, to more accurately reflect the activities that can receive funding.

If the eligibility criteria and guidelines are approved, the fund will be advertised through Council channels including Council's website.

Glenorchy City Concert Brass

Council supports the band through an annual donation of \$7,500 along with in-kind support which includes free use of a room at the Berriedale Community Centre as the band headquarters. The band performs free of charge at Council's Australia Day celebration, ANZAC Day service and Carols by Candlelight event.

The Glenorchy City Concert Brass is currently a Special Committee of Council.

The Glenorchy City Concert Brass has provided a report on their activities over the last financial year ([Attachment 4](#)).

As there is no formal memorandum of understanding with the band, it is recommended that Council staff work with band to develop a formal agreement for the 2018/2019 financial year. It is further recommended that the level of funding provided for the band is reviewed.

Consultations:

Director Community and Strategy
Acting Director Community Department
Community Planning and Engagement staff

Human Resource / Financial and Risk Management Implications:

Financial

Council currently has a budget allocation of \$21,500 towards a variety of support and sponsorship arrangements. Council officers are seeking to maximise best value for these contributions.

Human resources

All the listed sponsorships and donations are administered through the Community Planning and Engagement team. No additional human resources are required.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Hold discussions with the Glenorchy City Concert Brass to work together to formalise an agreement.
Negative reaction from the Glenorchy City Concert Brass				
Additional requests via the Mayor's Charitable Fund	Minor (C2)	Possible (L3)	Moderate	Criteria and eligibility for funding will be easily available and applicants can be referred to this.
Do not adopt the recommendation	Minor (C2)	Likely (L4)	Moderate	Continue with the existing arrangements.
Negative publicity if any of the current sponsorships/grants are discontinued.				

Community Consultation and Public Relations Implications:Community consultation

None at this stage. If endorsed, discussion would need to take place with the Glenorchy City Concert Brass.

Public relations

There is an opportunity to tell a positive story of Council contributing to the broader community in a variety of ways as outlined in this report.

Recommendation:

That Council:

1. APPROVE the continuation of financial support provided to the Glenorchy Community Fund for an additional 3 years, concluding in 2022/2023
2. APPROVE the extension of the Student Support/Bursary program to provide a standard donation to all the schools in the municipality for their end of year awards
3. APPROVE the reviewed Mayor's Sporting and Academic Fund criteria/guidelines, including the proposed name change (from the Mayor's Charitable Fund), and

4. APPROVE Council staff to commence discussions with the Glenorchy City Concert Brass regarding a formal agreement and review of the annual donation amount.

Attachments/Annexures

- 1 Council Resolution - Community Grant Processes 13-6-2017



- 2 Council Resolution Eric Reece Scholarship 30-7-2018



- 3 Mayor's Charitable Fund Updated Guidelines and Funding Criteria



- 4 Glenorchy City Concert Brass Report 2017-2018



ENVIRONMENT

10. DRAFT LOCAL PROVISIONS SCHEDULE (TASMANIAN PLANNING SCHEME)

Author: Director Development and Customer Services (Sam Fox)
Strategic Planner (Lyndal Byrne)

Qualified Person: Director Development and Customer Services (Sam Fox)

ECM File Reference: Planning Scheme Review

Community Plan Reference:

Making lives better

Our lives will be enhanced by using good design to create safer, more welcoming public spaces.

Open for business

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

Valuing our environment

We will value and enhance our natural and built environment. Our CBD areas of Glenorchy, Moonah and Claremont will be revitalised, with a strong emphasis on great design, open spaces and public art.

Strategic or Annual Plan reference:

Making lives better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our Community Plan

Open for business

Objective 2.1 Stimulate a prosperous economy

Strategy 2.1.1 Foster an environment that encourages investment and jobs

Valuing our environment

Objective 3.1 Create a liveable and desirable City

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

Objective 3.2 Manage our natural environments now and into the future

Strategy 3.2.1 Identify and protect areas of high natural values

Annual Plan action

Action 2.1.1.01 Progress the Interim Planning Scheme to a Single State-wide Planning Scheme

3.1.4.03 Plan for the sustainable development of the City, ensuring compliance with the planning scheme and community involvement in the planning process

Reporting Brief:

To seek Council's endorsement of the Draft Glenorchy Local Provisions Schedule for submission to the Tasmanian Planning Commission.

Proposal in Detail:**Background**Tasmanian Planning Scheme

In 2015, the Tasmanian Government amended the *Land Use Planning and Approvals Act 1993 (LUPAA)* to introduce a single state-wide planning scheme. The Tasmanian Planning Scheme is made up of two parts: the State Planning Provisions (**SPPs**) and Local Provisions Schedules (**LPSs**) (Figure 1).

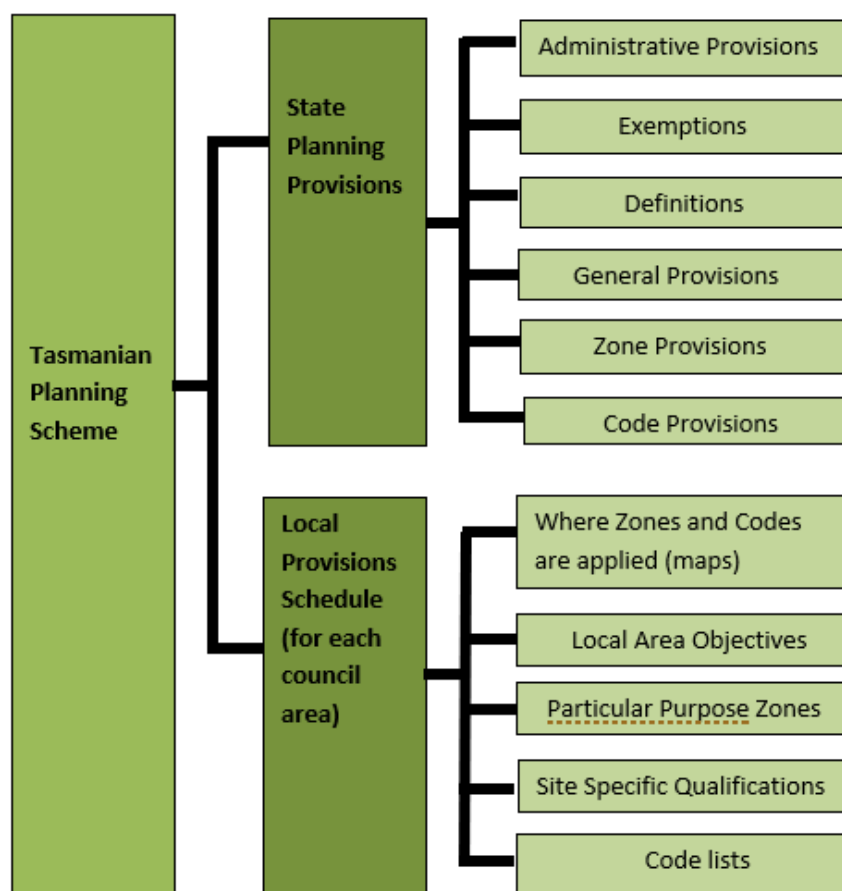


Figure 1 – Part of the Tasmanian Planning Scheme

The state-wide SPPs were declared by the Minister for Planning on 22 February 2017 following public consultation. The SPPs are available here:

https://planningreform.tas.gov.au/_data/assets/pdf_file/0014/412322/State-Planning-Provisions-Draft-Amendment-01-2017-compiled-version.PDF

To implement the SPPs, councils are now preparing LPSs for their respective Council areas. According to LUPAA, these must:

- contain all the provisions specified by the SPPs
- be in accordance with section 32 of LUPAA (which outlines how the LPS is constructed)
- further the objectives set out in Schedule 1 of LUPAA
- be consistent with each State policy
- be consistent with the relevant Land Use Strategy
- be consistent with Council's strategic plan
- be consistent with, as far as practicable, the LPS provisions of neighbouring Councils, and
- have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

The Tasmanian Government has also prepared *Guideline No 1 Local Provisions Schedule: zone and code application*, June 2018 (**S8A Guidelines**) under S8A of LUPAA, which sets out additional rules for the application of zones and codes.

Draft Glenorchy LPS

The Glenorchy Interim Planning Scheme 2015 (**GIPS 2015**) sets out the way land can be used and developed within Glenorchy, including zones, the rules for land use and development, and maps.

Since declaration of the state-wide SPPs, Council's Planning Services Unit has been drafting Glenorchy's LPS. This involved considering each of the zones and codes within the GIPS 2015 and translating these into zones and codes under the state-wide scheme.

The Draft Glenorchy LPS is essentially the spatial application of the state-wide zones and codes to the Glenorchy municipality, along with any local provisions. This includes site specific controls such as Local Area Objectives, Particular Purpose Zones, Specific Area Plans, Site-Specific Qualifications and Code lists (such as heritage places and management objectives for scenic areas).

The Draft Glenorchy LPS consists of:

- Maps: showing where and how the state-wide zones and codes have been applied in the Glenorchy municipality and the locations of Local Area Objectives, Specific Area Plans and Site-Specific Qualifications (refer to Attachments 1, 2 and 3)
- Ordinance: site specific controls for Glenorchy, such as Particular Purpose Zones, Specific Area Plans, Site Specific Qualifications and Code Lists (refer to Attachments 4 and 5)

The Draft Glenorchy Local Provisions Schedule Supporting Report (**the Supporting Report**) (Attachment 6) has also been drafted to accompany the Draft LPS. It indicates how the Draft LPS meets requirements under S.32 and s.34 of LUPAA, the S8A Guidelines and the *Southern Tasmania Regional Land Use Strategy 2010 - 2035*.

Differences between the GIPS 2015 and the Draft Glenorchy LPS

In large part, the GIPS 2015 can be translated readily to the state-wide zones and codes. For example, residential land under the GIPS 2015 will be residential land under the Draft Glenorchy LPS.

However, as the SPP zones, codes and controls are different to those under the GIPS 2015, there are likely to be impacts on current and future use and development of land. As such, property owners and occupiers will be encouraged during the public consultation process to consider the Draft Glenorchy LPS and decide if the zoning and controls proposed are suitable for them.

The summary below identifies the key areas of difference between the zones and controls in the GIPS 2015 and in the Draft Glenorchy LPS:

- *Single lots in a Local Business Zone under the GIPS 2015 will be zoned to reflect the surrounding General Residential Zone or Inner Residential Zone (affects around 15 properties).*

These sites are primarily service stations or hotels/taverns and have been allocated site-specific qualifications to enable existing uses to continue. Future use and development will be affected however, with these sites no longer able to be developed to the extent possible under the GIPS 2015.

- *All land in an Environmental Living Zone under the GIPS 2015 will be included in a Landscape Conservation Zone (affects around 120 properties).*

The Landscape Conservation Zone provides the most similar land use intent/purpose and use and development controls to the GIPS 2015 Environmental Living Zone. Single dwellings will continue to be allowed under the Landscape Conservation Zone (discretionary).

- *Private land beyond the Urban Growth Boundary and within an Environmental Management Zone under the GIPS 2015 will be included within a Landscape Conservation Zone (affects around 120 properties).*

The Landscape Conservation Zone provides the most similar land use intent/purpose and use and development controls to the GIPS 2015 Environmental Management Zone. Single dwellings will be allowed under the Landscape Conservation Zone (discretionary).

- *Land affected by the Rosetta and Casuarina Crescent landslip areas and included in an Environmental Management Zone under the GIPS 2015 will be included in an Open Space Zone (affects around 40 properties).*

The SPP Environmental Management Zone cannot relate to hazards. An Open Space Zone most reflects the future intent for these areas out of the suite of SPP zones. The development of new dwellings within an Open Space Zone will be prohibited, however, existing use rights for existing dwellings will be maintained.

- *Some land within a Low Density Residential Zone under the GIPS 2015 will be included in a General Residential Zone (affects 182 properties).*

Land with natural or amenity values – such as land around Goulds Lagoon – are not able to be included in a Low Density Residential Zone, particularly if the land is serviced.

Land around Goulds Lagoon will be included under a Specific Area Plan to maintain the density of the area to that currently allowed and minimise environmental impact on Goulds Lagoon. The proposed Specific Area Plan will maintain the same subdivision and site coverage controls as operate under the GIPS 2015. All other use and development standards under the SPP General Residential Zone will apply to these properties.

A number of other sites that are already developed with dwellings, and not subject to significant slope impacts, will also be included within a General Residential Zone.

- *A Statement of Local Historic Heritage Significance and Historic Heritage Values has been provided for all heritage places currently listed in the GIPS 2015 (affects 375 heritage listed places).*

The information to be included in the statements has previously been collected and used by Council in decision making but has not been available to members of the public or property owners. Making this information available will improve clarity and transparency about the factors that Council considers when determining applications.

- *Land within a Particular Purpose Zone 1 – Urban Growth Zone under the GIPS 2015, will be included in a Future Urban Zone.*

The SPP Future Urban Zone reflects the provisions of the GIPS 2015 zone and application this zone to land designated for urban growth, is a requirement of the S8A Guidelines.

- *Several Codes will have Overlays under the Draft Glenorchy LPS, whereas under the GIPS 2015, only reference layers were used. These are the Local Historic Heritage Code, Flood-Prone Hazard Areas Code (Inundation Prone Areas Code under the GIPS 2015) and Bushfire-Prone Areas Code.*
- *Under the Natural Assets Code, a Future Coastal Refugia Area has been mapped and the Vegetation Protection Area extensively reviewed.*

Full details of the changes are included in the Supporting Report.

New provisions in the Draft LPS

Three new Specific Area Plans and four new Site-Specific Qualifications have been included in the Draft LPS.

The new Specific Area Plans are:

- the Goulds Lagoon Specific Area Plan, which is required to maintain current density standards of the existing residential area and limit stormwater runoff into the lagoon, and
- the Potential Dispersive Soils Specific Area Plan and the Potential Acid Sulfate Soils Specific Area Plan, which reflect the existing codes in the GIPS 2015 and are required to manage these types of hazards

New Site-Specific Qualifications are required to maintain existing use rights for property owners where the land has been included in a General Residential Zone or Inner Residential Zone to reflect the requirements of the S8A Guidelines (the sites are service stations and a tavern).

Details on these new provisions are included in the Supporting Report at Section 7.5.3.

Provisions that transition into the Draft Glenorchy LPS without public review

Under Schedule 6 of LUPAA, many of the site-specific provisions that apply under the GIPS 2015 will transition into the Draft Glenorchy LPS without the need for public review. These provisions include:

- existing Particular Purpose Zones for future road corridors and the TechnoPark at Innovation Drive, Dowsing Point
- existing Specific Area Plans, and any new Specific Area Plans introduced by amendment before the Draft Glenorchy LPS is approved
- some Site-Specific Qualifications (e.g. Collinsvale Shop, Tolosa Street Quarry), and
- places on the heritage list and in the GIPS 2015 before 17 December 2015.

Details on these provisions are included in the Supporting Report at Section 7.5.1.

Assessment and exhibition process for the Draft Glenorchy LPS

Once endorsed by Council, the Draft Glenorchy LPS will be submitted to the TPC for assessment as to whether it meets the LPS criteria (Attachment 7).

If the relevant criteria are met, the Draft Glenorchy LPS will be exhibited by Council for 60 days, and a report provided by Council to the TPC about representations received. This report can include any changes to the Draft Glenorchy LPS that Council considers appropriate, and any changes to the state-wide SPPs that Council believes should be made.

The TPC will then hold public hearings into representations and may then approve the Glenorchy LPS (or a modified version of it), with the Minister for Planning's agreement. The new scheme will then come into operation in Glenorchy, replacing the GIPS 2015.

Consultations:

The following groups have been consulted in the preparation of the Draft Glenorchy LPS:

- Technical Reference Group – Southern Councils – formed under the Southern Tasmanian Councils Association
- Planning Policy Unit and Tasmanian Planning Commission (State government bodies)
- Council's Infrastructure and Works Directorate (Environment, Infrastructure, Engineering and Design, Asset Management)
- Council's Community and Strategy Directorate (Community Planning and Engagement)
- Council's Development and Customer Services Directorate (Building and Plumbing, Environmental Health, Planning).

Human resource / financial and risk management implications:

The Planning Scheme Review Project is managed within the Planning Services budget. The consultation approach outlined is expected to cost around \$5,000 and will be funded from the existing budget allocation.

Council officers will undertake the work required to progress the Draft Glenorchy LPS through the consultation process and represent Council at any TPC panel hearings.

Risk management

Planning Services has concerns about the state-wide SPPs as prepared by the Tasmanian Government as they may create adverse impacts for the operation and application of the Glenorchy LPS.

However, at this time it is proposed that Council proceeds with the submission of the Draft Glenorchy LPS to the TPC, to meet our obligations as a Planning Authority

under LUPAA. Following the declaration of the Glenorchy LPS, Council officers will collaborate with other councils to advocate for changes to the state-wide scheme and LUPAA to improve the operation of the scheme.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Complies with legal and regulatory requirements. However, application of the state-wide SPPs as they currently stand may result in poor planning outcomes.	Moderate (c3)	Possible (L3)	Moderate	Continue to advocate for improvement to the SPPs, review of regional land use strategies and creation of Tasmanian Planning Policies.
Do not adopt the recommendation Council will breach its obligations and duties as a Planning Authority under LUPAA. Council will have to pay the TPC's costs if the Minister directs the TPC to prepare Council's Draft LPS and Council's strategic directions might not be recognised.	Moderate (C3)	Likely (L4)	Notable	A workshop is held with planning staff with a view to addressing concerns and re-submitting the draft LPS to Council as soon as possible.

Community Consultation and Public Relations Implications:

Community consultation

LUPAA sets out the minimum requirements for public exhibition of Draft LPS (an advertisement in the Mercury newspaper, 60 days public exhibition and the opportunity for members of the public to make written representations and attend hearings).

In addition to this, Glenorchy City Council will advise of the opportunity to comment on the Draft Glenorchy LPS through the website, Glenorchy Gazette and media releases. Drop-in sessions will be held at Chambers for people to ask questions about the draft Glenorchy LPS and community panels will be informed.

Depending on the timing of consultation, information about the Draft Glenorchy LPS may be included with rates notices, when they are posted to property owners. If the timing of consultation does not align with rates notices, the owners of the 3,500 properties considered to have the most significantly different provisions under the Draft Glenorchy LPS, will be advised of the consultation process.

Community consultation strategy will consist of:

Timing	Consultation approach	Key messages
Pre-exhibition	- Update on Council website - Notice in Glenorchy Gazette	Council will soon be seeking comments on the Draft Glenorchy LPS
Week 1	- Notice in the Mercury and Glenorchy Gazette - Upload Draft LPS, maps and frequently asked questions to Council website - Media release - Emails to community panels - Letters to property owners	- The Draft Glenorchy LPS is now open for comment - Representations can be made for the next 60 days - We encourage property holders to view the Draft Glenorchy LPS via the website or at Council Chambers - Drop-in sessions will be held at Chambers in the coming weeks to enable people to ask questions about the Draft Glenorchy LPS
Weeks 3 and 4	Drop-in sessions at Council Chambers	We encourage property owners to ask questions about the Draft Glenorchy LPS and how it will affect them
Week 4	- Advertisements in the Mercury and Glenorchy Gazette - Update on Council website - Media release - Reminder emails to community panels	There are four weeks left to make representations on the Draft Glenorchy LPS
Week 7	- Advertisements in the Mercury and Glenorchy Gazette - Update on Council website - Media release - Reminder emails to community panels	There is one week left to make representations on the Draft Glenorchy LPS

Public relations

All efforts will be made to ensure members of the public, property owners and occupiers are informed of the Draft Glenorchy LPS and have the opportunity to make a representation. Of note, public exhibition of the Draft GIPS in 2015 elicited 19 representations.

Affected property owners may express concern about the implications of zoning changes under the Draft Glenorchy LPS on future use and development of their properties. All efforts will be made to explain the proposed changes, potential impacts and encourage them to make representations if they are dissatisfied with the proposed provisions.

Recommendation:

That Council, acting as a Planning Authority:

1. RESOLVE that it is satisfied that the Draft Glenorchy Local Provisions Schedule (including the Draft Ordinance and Draft Mapbook (included in Attachments 1, 2, 3, 4 and 5) meet the Local Provisions Schedule criteria prescribed in Section 34 of the *Land Use Planning and Approvals Act 1993 (LUPAA)*
2. ENDORSE the Draft Glenorchy Local Provisions Schedule (included in Attachments 1, 2, 3, 4 and 5) and the Draft Local Provisions Schedule Supporting Report (included in Attachment 6) for submission to the Tasmanian Planning Commission
3. DELEGATE under Section 6 of LUPAA, the following powers and functions to the General Manager, Co-ordinator Planning Services and Strategic Planner:
 - a) submit the Draft Glenorchy Local Provisions Schedule and the Draft Glenorchy Local Provisions Schedule Supporting Report to the Tasmanian Planning Commission under Section 35(1) of LUPAA
 - b) submit the provisions for transition under Schedule 6 of LUPAA to the Minister for Planning
 - c) modify the Draft Glenorchy Local Provisions Schedule if a notice is received from the Tasmanian Planning Commission under Section 35(5)(b), or agree to such modifications being undertaken by the Tasmanian Planning Commission under Section 35(5)(c), and advise Council of any such modification
 - d) exhibit the Draft Glenorchy Local Provisions Schedule in accordance with Section 35C and 35D of LUPAA, and
 - e) represent Council at hearings held on representations about the Draft Glenorchy Local Provisions Schedule under Section 35H.

Attachments/Annexures

- 1 Draft Glenorchy Local Provisions Schedule Mapbook - Zones

- 2 Draft Glenorchy Local Provisions Schedule Mapbook - Specific Controls

- 3 Draft Glenorchy Local Provisions Schedule Mapbook - Overlays

- 4 Draft Glenorchy Local Provisions Schedule Ordinance

- 5 Draft Glenorchy Local Provisions Schedule Incorporated Document


6 Draft Glenorchy Local Provisions Schedule Supporting Report



7 Local Provisions Schedule Assessment Process Flowchart



11. GLENORCHY CBD REVITALISATION PROJECT - PROGRESS UPDATE (30 SEPTEMBER TO 26 NOVEMBER 2018)

Author: Project Manager - Major Projects (Greg Fox)
Manager Infrastructure, Engineering and Design (Frank Chen)

Qualified Person: Greg Fox

ECM File Reference: CBD Steering Committee

Community Plan Reference:

Valuing Our Environment

We will value and enhance our natural and built environment. Our central business district (CBD) areas of Glenorchy, Moonah and Claremont will be revitalised, with a strong emphasis on great design, open spaces and public art.

Open for Business

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

Strategic or Annual Plan Reference:

Objective 3.1 Create a liveable and desirable City

Strategy 3.1.1 Revitalise our CBD areas through infrastructure improvements

Action 3.1.1.01 Implement the Glenorchy CBD Strategic Framework

Reporting Brief:

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

Background:

At its meeting on 20 March 2017 (Item 8), Council resolved that a bi-monthly progress report of the Glenorchy CBD Revitalisation Project was to be provided. This is the tenth of the bi-monthly reports given pursuant to that resolution.

This report covers the period from 30 September to 26 November 2018.

Project Status:**1. Project Budget and Delivery Schedule**

The estimated cost of the CBD Revitalisation Project is \$5.795M (inclusive of the \$0.5M Public Space Enhancement grant, see below). The project is currently expected to be constructed over the 2018-19, 2019-20 and 2020-21 financial years.

2. Works Completed (Stages 1 and 2)

The first two stages of works on the project are now complete:

Stage 1:

Stage 1 (Peltro St cycle lane) was successfully completed in June 2018. Since it was completed, the project was highly regarded by the community, particularly by these cycling groups.

The photos below were taken onsite showing the separated two-way cycle lane along Petrol Street from its west and east ends.



Figure 1 Stage 1 post-construction



Figure 2 Stage 1 Post-construction

Stage 2:

Stage 2 (the section from Barry St to O'Brien's Bridge) commenced in July 2018 and was completed in Oct 2018.

A number of learnings and improvement actions came out from the post-project review workshop, during which all the staff involved in the engineering design, construction and project management held an open and constructive discussion and debrief on Stage 2.

The project team will work cooperatively to ensure the project is implemented effectively and efficiently and that opportunities for improvement are identified and actioned.



Figure 3 Stage 2 footpath on Main Rd opposite ICC



Figure 4 Stage 2 Main Rd/Barry St intersection outside ICC

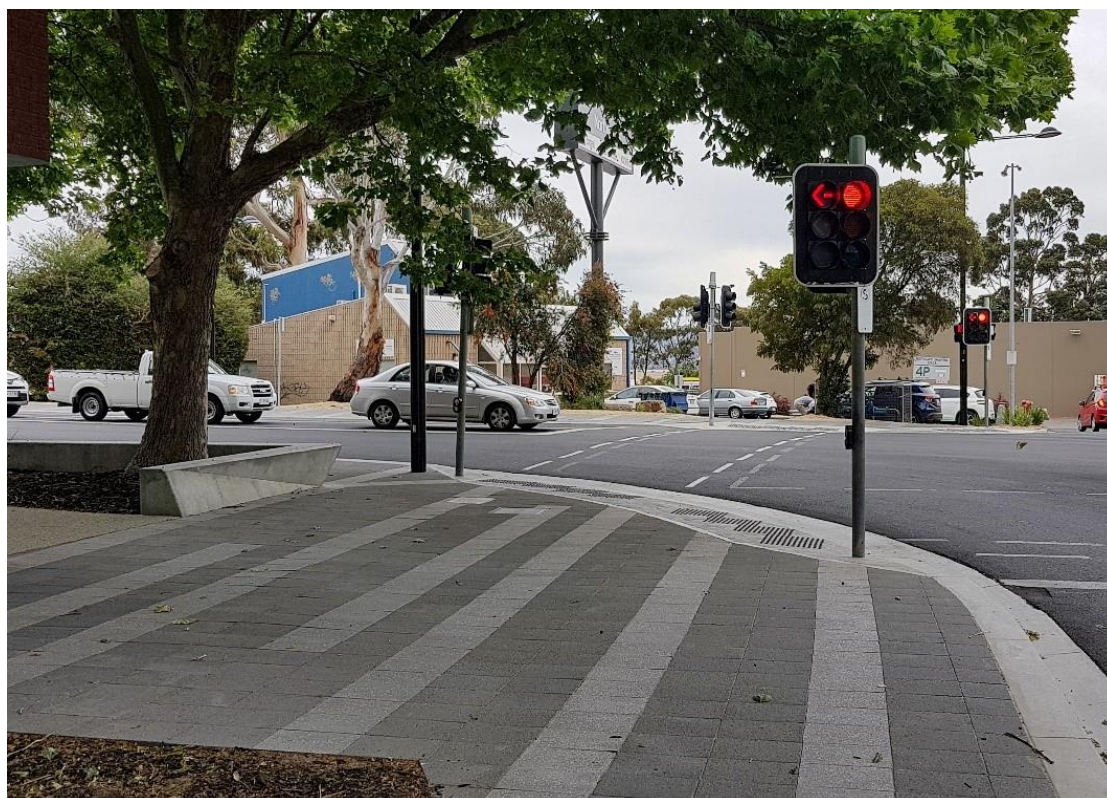


Figure 5 Stage 2 Main Rd/Barry St intersection outside ICC

3. Works Underway (Stage 3)

Preliminary designs for Stage 3 (the main CBD project, from Terry St to Barry St) have now been completed.

Detailed engineering designs for Stage 3A, the section from Terry St to Tolosa St), which has been programmed in this financial year (2018-19), have been completed and are under review. The construction work is expected to commence in early 2019 and be completed by June 2019.

Before starting work on Stage 3A, the project team has started implementing of parking restriction changes to on-street parking restrictions along Main Road, via a staged approach. The purpose of these changes are:

- (1) to address concerns raised by the public and businesses about the increasing number of taxis occupying normal parking spots outside the Northgate Shopping Centre, and
- (2) to drive parking behavioral changes so that people can more easily adapt to the new parking arrangements once the CBD project is complete.

The changes will assist in achieving the objectives of the project to “*minimise the impact of cars on the road amenity of the CBD*” and “*enhance the overall experience of the street for pedestrians and others*”.

The current key project activities include:

- detailed engineering design review and constructability review
- detailed design is underway for final electrical and lighting concepts
- urban design elements are finalised
- a project schedule review for the Stage 3A works, based on final designs, has commenced, and
- a communications strategy has been developed and is underway.

The next steps and future tasks include:

- ongoing development and finalisation of the Stakeholder Communications Plan
- continued design review and revision of detailed design where required
- The new Project Reference Group's first meeting is scheduled for late November and is expected to discuss group's role and terms of reference, and
- project costs are to be finalised.

4. Public Space Enhancement Grant

Council wrote to the Department of State Growth requesting that the Public Enhancement Grant of \$500,000 be transferred to assist in the funding of Stage 3.

The Department approved the change on 4 September 2018 with the grant expected to be acquitted by 30 June 2018.

5. Transition of the Steering Committee

Extensive consultation undertaken in late 2016 showed the Glenorchy community's overwhelming support for the Glenorchy CBD Revitalisation Project draft concept designs. On 19 December 2016, Council unanimously endorsed the Glenorchy CBD concept designs along with a range of staff actions to get the project happening 'on the ground'.

As noted in Council's Community Plan, Council has promised to work on all our CBD areas. Other policies, plans and strategies can support the revitalisation, such as Property and Open Space Strategies which have already identified, and in some cases funded, relevant projects. Taking this broader approach, the role of the Glenorchy CBD Steering Committee is under review. Relevant parties are currently participating in strategic planning workshops to identify opportunities such as:

- alignment of spatial strategies across all of Council
- development of clearly defined parameters for project prioritisation, and/or
- creating a clear spatial strategy.

Work continues on these, and the outcome of the planning workshops will be reported to Council in an future update report to Council. It is expected that the bi-monthly reporting will continue as part of the committee's duties.

6. Public Art

Public art is recognised in the Community Plan and the concept urban design report to be an integral part to the success of the project. The process for public art to be implemented as part of the project has been discussed by the CBD Steering Committee.

A draft Expression of Interest (**EOI**) has been developed and advertised as of 9 November 2018. The EOI calls for interested parties to provide concepts, consult with the community and prepare final presentation for consideration.

The current timeline being considered for this aspect of the project is as follows:

- 2018: develop a brief, EOI process, advertise and artist selection
- 2019: community engagement, design development, planning permit, and
- 2019 (still to be finalised based on project schedule): Fabrication and installation.

7. Project Reference Group

To efficiently engage with the businesses, operators and users of the Glenorchy CBD, a Project Reference Group (**PRG**) has been formed to liaise with Council officers during the implementation of the project.

The PRG is an advisory body only. The project team will be made aware of all matters raised by the PRG's members, however will not be obliged to act on them. The PRG will not be involved directly in the management of the project.

Since the last Council meeting, business representatives from an existing business list developed during the concept design engagement phase were invited to participate in the PRG. The list includes all the businesses in the CBD project area who elected to opt-in for updates on the project. Meanwhile, the Moonah Glenorchy Business Association was approached and asked to nominate a representative as well.

Through the informal EOI process above, a group of representatives from such areas as different stages (3A, 3B and 3C) of the project and the Moonah CBD have come onboard to form the PRG.

The project team will be developing profiles for each of the business representatives and share these with a wider audience.

8. Change to quarterly updates

At the Council workshop on 19 November 2018, Aldermen advised that they would be satisfied with a quarterly update report on the CBD project rather than the current bi-monthly updates.

The recommendations to this report reflect that view.

Human Resource / Financial and Risk Management Implications:

A full risk register has been completed for the CBD Revitalisation Project (Stage 3) and forms part of the Project Management Plan, as mentioned above in relation to key project activities.

In response to comments received from Aldermen at the Council meeting on 30 July 2018, a risk register summarising the high-level residual risks and the mitigation treatments for the project is presented in Attachment 1 to this report. At the date of publication of this report, there was no change to the risk register from the previous one presented to Council on 24 September 2018.

The Project Manager continues to review the project's process, documentation, schedule, budgets, risk register etc.

This review will determine project management best practices for not only this project but future projects (large or small) undertaken by Council.

Community Consultation and Public Relations Implications:

The project has been through an extensive community engagement process and has received widespread support for the concept designs that have been presented.

A Stakeholder Communications Plan has been developed for the project.

Council staff have consulted with and will continue to consult with and provide updates to, stakeholders (community and traders etc.) as the project develops.

The PRG will liaise with Council officers during the implementation of the project and continue to advise all matters raised by its members.

Recommendation:

That Council:

1. RECEIVE and NOTE the CBD Revitalisation Report Bi-Monthly Progress Report for the period of 30 September to 26 November 2018, and
2. REQUEST that Council receives future update reports on the progress of the CBD Revitalisation Project quarterly as part of Council's corporate reporting on annual plan progress, rather than bi-monthly.

Attachments/Annexures

- 1 ➡ Risk Register

GOVERNANCE

12. ADOPTION OF COUNCIL AND GLENORCHY PLANNING AUTHORITY MEETING DATES FOR 2019

Author: Manager, Governance and Executive Support (Simon Scott)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Council and Committee Meeting Dates and Times

Community Plan Reference:

Under the City of *Glenorchy Community Plan 2015 – 2040*, the Community has prioritised ‘transparent and accountable government’.

Strategic or Annual Plan Reference:

Objective 4.1 Govern in the best interests of the community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes

Reporting Brief:

The purpose of this report is to recommend that Council adopts Council and Glenorchy Planning Authority meeting dates and times for 2019.

Proposal in Detail:

A list of the proposed meeting dates for meetings of Council and the Glenorchy Planning Authority, and dates for Council workshops, for the 2019 Calendar year is [Attachment 1](#).

The list is provided for consideration and adoption by Council, as required under regulation 7(2) of the *Local Government (Meeting Procedures) Regulations 2015 (LG Regulations)*.

Council meeting dates for 2019

The proposed dates for Council meetings for 2019 are as follows:

Meeting of	Day	Date	Start Time
Council	Tuesday	29 January 2019	6:00 pm
Council	Monday	25 February 2019	6:00 pm
Council	Monday	25 March 2019	6:00 pm
Council	Monday	29 April 2019	6:00 pm
Council	Monday	27 May 2019	6:00 pm

Meeting of	Day	Date	Start Time
Council	Monday	24 June 2019	6:00 pm
Council	Monday	29 July 2019	6:00 pm
Council	Monday	26 August 2019	6:00 pm
Council	Monday	30 September 2019	6:00 pm
Council	Monday	28 October 2019	6:00 pm
Council	Monday	25 November 2019	6:00 pm
Council	Monday	23 December 2019	6:00 pm

Under section (4)(4) of the LG Regulations, an ordinary meeting of a council is to be held at least once in each month.

Council meetings have been scheduled for the last Monday of each month to facilitate timely quarterly reporting. The January 2019 meeting has been moved to a Tuesday to accommodate the Australia Day public holiday.

At its meeting 26 February 2018 (Item 12), Council resolved to start ordinary Council meetings at 6:00 pm to encourage better attendance from members of the public.

Glenorchy Planning Authority meeting dates

The proposed Glenorchy Planning Authority (GPA) meeting dates for 2019 are as follows:

Meeting of	Day	Date	Start time
Glenorchy Planning Authority	Monday	21 January 2019	5:00 pm
Glenorchy Planning Authority	Monday	18 February 2019	5:00 pm
Glenorchy Planning Authority	Monday	18 March 2019	5:00 pm
Glenorchy Planning Authority	Monday	15 April 2019	5:00 pm
Glenorchy Planning Authority	Monday	13 May 2019	5:00 pm
Glenorchy Planning Authority	Tuesday	11 June 2019	5:00 pm
Glenorchy Planning Authority	Monday	15 July 2019	5:00 pm
Glenorchy Planning Authority	Monday	12 August 2019	5:00 pm
Glenorchy Planning Authority	Monday	16 September 2019	5:00 pm
Glenorchy Planning Authority	Monday	14 October 2019	5:00 pm
Glenorchy Planning Authority	Monday	11 November 2019	5:00 pm
Glenorchy Planning Authority	Monday	16 December 2019	5:00 pm

The Glenorchy Planning Authority (**GPA**) is a council committee established under section 23 of the *Local Government Act 1993*.

Regulation 5(2)(a) of the LG Regulations provides that the chairperson of a council committee must convene a meeting of that committee if the council committee or the Council so determines. Council's practice in recent years has been to schedule all meetings of the GPA for each calendar year in advance, as is done for meetings of Council.

The GPA has resolved to commence its ordinary meetings at 5:00pm (Item 7 at the 13 March 2018 GPA meeting). Meetings are held on Mondays unless this clashes with a public holiday (which it does in June 2019).

Council workshop dates for 2019

The proposed dates for Council Workshops for Aldermen have been included in the attachment as a matter of convenience, however these workshops are not open to the public.

Public notice of 2019 meeting dates

If the proposed meeting dates are adopted by Council, the General Manager will ensure that a public notice containing the times and places of the ordinary Council meetings and GPA meetings is published in accordance with regulation 7(2) of the LG Regulations.

Consultations:

Mayor
Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

There are no Human Resource implications.

The risk management implications from the adoption of the Policy are as follows:

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If Council does not adopt Council and Glenorchy Planning Authority meeting dates and times for 2019, Council will be in breach of the relevant regulations.	Minor (C2)	Almost Certain (L5)	Notable	Council adopts the Council and Glenorchy Planning Authority meeting dates and times for 2019, as recommended, or with amendments to address any particular concerns.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

1. ADOPT the Council and Glenorchy Planning Authority Meeting Dates and Times Schedule for 2019 in the form of Attachment 1, and
2. NOTE that the General Manager will ensure that a public notice containing the times and places of the ordinary Council meetings and Glenorchy Planning Authority meetings is published in accordance with regulation 7(2) of the *Local Government (Meeting Procedures) Regulations 2015*.

Attachments/Annexures

- 1 2019 Meeting Dates



13. RECONFIRMATION OF GLENORCHY CITY COUNCIL STRATEGIC PLAN

Author: Director, Community and Strategy (David Ronaldson)
 Manager, City Strategy and Economic Development (Erin McGoldrick)

Qualified Person: Director Community and Strategy (David Ronaldson)

ECM File Reference: GCC Strategic Plan 2016-2025

Community Plan Reference:

We are a proud city; a city of arts; of opportunity; of partnerships; a city that makes exciting things happen. The future of Glenorchy will be created through:

Building Image and pride

We will show our pride as a city and others will see it.

Making Lives Better

We continue to be a safe, inclusive, active and vibrant community. We will focus on developing a hub of multiculturalism, arts and culture.

Valuing Our Environment

We will value and enhance our natural and built environment. Our central business district (CBD) areas of Glenorchy, Moonah and Claremont will be revitalised, with a strong emphasis on great design, open spaces and public art.

Open for Business

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

Leading Our Community

We are a progressive, positive community with strong Council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1 Govern in an open and responsible manner in the best interests of the community.

Strategy 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities.

Strategy 4.1.3 Use corporate planning processes, informed by community input, to identify and determine clear priorities for action.

Objective 4.2 Manage our resources to achieve community outcomes.

Strategy 4.2.1 Deploy the Council's resources in a way that maximises the effectiveness of the organisation and delivers value for money.

Reporting Brief:

To recommend that Council reconfirms its satisfaction with the *Glenorchy City Council Strategic Plan 2016-2025*, subject to the following two (2) minor amendments:

- a) an updated Aldermanic photograph, and
- b) an updated organisational chart.

Proposal in Detail:

Background

The *Local Government Act 1993 (the Act)* requires all Tasmanian councils to adopt a strategic plan. The *Glenorchy City Council Strategic Plan 2016-2025 (Strategic Plan)* and was adopted in 2016 and is a key document that articulates the direction for Council set by the Aldermen and the Executive Leadership Team.

Given the importance of the Strategic Plan and the findings of the Board of Inquiry Report in November 2017, the Ministerial Directions requested that Council include a review, if required, of the plan. Specifically, under direction, 1(i)(i) Council was required to:

"1) ... take steps to improve the food governance of the Council by:

...

- i) Reviewing, and amending if appropriate, within the 2018-19 budget period:*

...

- (i) the strategic plan."*

This report provides information about Council's strategic planning framework and how the Strategic Plan is integrated within it. It recommends that Council does not adopt a new strategic plan and instead reconfirms its satisfaction with the existing Strategic Plan.

Council's Strategic Framework

Council has three key strategic documents that the organisation refers to in its decision-making and operational planning:

- the *City of Glenorchy Community Plan 2015 – 2040 (Community Plan)*
- the Strategic Plan, and

- the *Glenorchy City Council Annual Plan 2018-2022* (which is updated annually) (**Annual Plan**).

The Community Plan is the highest-level plan for Glenorchy City. It is aspirational. It sets out the dreams, hopes and directions for the community for the next 25 years. It is from this plan that Council draws the vision for our municipality, which, alongside our Council Mission declares our purpose and aspirations. During the development of the Community Plan in 2015, the Glenorchy community provided nearly 2,000 comments and 7,500 ideas about the future of the City during 69 different consultation activities and events. The Community Plan guides all other plans in for the city. Specific actions, details and measures will be developed from this vision to bring it to life.

The Community Plan embodies the 'social licence' for the activities that Council undertakes. This is the mandate for the activities and services provided for our citizens which supplement Council's legislated and regulatory functions.

Strategic Plan

The Strategic Plan is an enabling document that provides strategic line of sight between the broad vision of the Community Plan and the operational focus of the Annual Plan of Council. The alignment of these plans begins at the strategic planning framework, based on the five community goals in the Community Plan:

- Building Image and Pride
- Making Lives Better
- Open for Business
- Valuing our Environment, and
- Leading our Community.

The framework also states a range of objectives for each community goal.

The Strategic Plan is for a 10-year period and is reviewed every four years. When the Strategic Plan is reviewed, updated or redeveloped, the draft document must be released for public consultation for four (4) weeks.

At its meeting on 24 October 2016, Council authorised a community engagement process about the (then) proposed Strategic Plan.

The comment period ran from 29 October until 25 November 2016.

The community engagement process was based on the community engagement plan provided to Council.

The community engagement process resulted in 12 submissions to Council, these were from:

- GASP
- the Glenorchy Arts and Culture Advisory Committee
- Council's Arts and Cultural Development Section

- Cycling South
- Metro Tasmania
- Department of Health and Human Services
- four (4) private individuals, and
- two (2) Council officers.

The themes that emerged from the consultation process were:

- arts and cultural development
- transport
- the environment
- performance measures
- waste management, and
- document errors (format, diagrams, etc.).

In a report to Council on 19 December 2016, several minor changes were recommended to incorporate the feedback from the community.

The Strategic Plan was adopted unanimously by Council at the 19 December 2016 meeting.

The process undertaken in late 2016 met the requirements of the Act, incorporated the community feedback as described above and was reflective of an environment that remains current. It is on this basis that officers recommend no changes to the current adopted Strategic Plan other than the following two (2) cosmetic changes:

- an updated photograph of the current Mayor and Aldermen, and
- an updated diagram of Council's organisational chart.

The wording, format and content are to otherwise remain unchanged.

A copy of the adopted Strategic Plan with the proposed minor amendments is [Attachment 1](#).

Consultations:

Mayor and Aldermen
Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications associated with the recommendation of this report.

Human resources

There are no material human resources implications associated with the recommendation of this report.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Moderate (C3)	Unlikely (L2)	Moderate	Open and transparent discussion with Aldermen at a workshop about the purpose of the Strategic Plan and process in its development and adoption.
The Strategic Plan does not reflect the direction desired by the Mayor and Aldermen				
Do not adopt the recommendation	Major (C4)	Likely (L4)	Significant	Council progresses with the review of the Strategic Plan required to comply with these Directions.
If Council does not comply with the Ministerial Directions as provided under section 225(2) of the <i>Local Government Act 1993</i> then there is potential for a complaint to be lodged for non-compliance under section 339E and further scrutiny and sanction by the Director of Local Government				

Community Consultation and Public Relations Implications:Community consultation

Community consultation was undertaken during the development of the Strategic Plan in 2016. The submissions were reported to and discussed with Aldermen in a Council workshop on 5 December 2016. The workshop was also attended by Directors and Managers.

Specialist advice about the comments was also sought from the Transport Engineer, Environment Co-ordinator, Manager Community and Customer Service and Arts and Cultural Development Co-ordinator.

There has not been any community consultation undertaken in relation to the proposed Strategic Plan with minor changes, given that it remains current having been adopted following the required consultation process in 2016.

Public relations

The key messages related to the readoption of the Strategic Plan key are:

- Council has reconfirmed the validity of the Strategic Plan
- the Strategic Plan sets Council's future direction

- the Strategic Plan has been shaped by the community vision, goals and priorities in the Community Plan, and
- the Strategic Plan will guide the actions that Council takes, based on its Annual Plan, which is reviewed every year.

Recommendation:

That Council:

1. CONFIRM its satisfaction with the adopted *Glenorchy City Council Strategic Plan 2016-2025 (Strategic Plan)*
2. APPROVE the following two minor amendments to the Strategic Plan (as set out in Attachment 1):
 - a) an updated Aldermanic photograph, and
 - b) an updated organisational chart, and
3. NOTE that the consideration of resolution 1 will satisfy the intent of Ministerial Direction 4(f).

Attachments/Annexures

- 1 Glenorchy City Council Strategic Plan 2016-2025



14. AUDIT PANEL CHARTER - REVISION

Author: Manager, Governance and Executive Support (Simon Scott)
Senior Risk and Assurance Advisor (Colette Millar)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Audit Panel

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised ‘transparent and accountable government’.

Strategic or Annual Plan Reference:

Objective 4.1 Govern in the best interests of the community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Reporting Brief:

To recommend that Council maintains the status quo with respect to the Audit Panel membership, in responding to Ministerial Direction 4(f).

Proposal in Detail:

Clause 18.2 of the current Audit Panel Charter (**Charter**) requires that:

1. at least every second year the Audit Panel will review the Charter to ensure its provisions comply with the Act and the Order, and
2. any changes to the Charter will be recommended by the Audit Panel and approved by Council.

On 15 January 2018, Council adopted a revised Charter as endorsed by the Audit Panel (at its 8 December 2017 meeting) ([Attachment 1](#)).

Subsequently, the Department of Premier and Cabinet (Local Government Division) published a revised practice guide: *Local Government Audit Panels (Guide)*. Appendix 2 of the Guide is a model Audit Panel Charter (see [Attachment 2](#)).

Over the ensuing period, the Audit Panel considered several amendments to the Charter ([Attachment 3](#)) including (but not limited to):

- replacing the preamble with the model audit panel charter text
- including risk management frameworks and systems of internal control within [Part 5 – Key Areas for Consideration](#)

- adding an additional paragraph to Part 6 – Responsibilities of the Audit Panel Members to include an appropriate interaction statement along the lines suggested within the Local Government Division's: *Model code of conduct for members of the audit panel* (it is noted that this was covered by Council's adoption of the 'Code of Conduct for Audit Panel Members' (Item 16 – 29 October 2018))
- amending the tenure statement of the Chairperson and independent members of the Audit Panel to all hold office for a maximum three (3) year term
- amending Part 18 – Review of the Audit Panel and the Charter to reflect the current practice that the Audit Panel (and not Council) determines the relevant stakeholders, and
- amending Part 14 – Reporting to reflect prior to the adoption of the Panel's minutes, Council should be provided with the minutes when accepted.

The revised Charter has been changed to better fit the suite of other Council publications and documents. The Audit Panel reviewed and endorsed the changes at its 26 October meeting.

The draft Charter is submitted to Council for consideration and adoption.

Consultations:

Audit Panel
 Director, Corporate Governance
 Manager, Governance and Executive Support
 Senior Risk and Assurance Advisor

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications.

Human resources

There are no material human resource implications

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Do not adopt the recommendation				
If identified Audit Panel Charter is not adopted as recommended, then governance control effectiveness is less optimal and potentially a minor legal, regulatory or internal policy failure.	Minor (C2)	Likely (L4)	Moderate	Council articulate reasons for not adopting the revised charter and instruct the General Manager to make appropriate revisions to be brought back to a future Council meeting.

Community Consultation and Public Relations Implications:Community consultation

Nil.

Public relations

Nil.

Recommendation:

That Council:

ADOPT the revised Audit Panel Charter, as endorsed by the Audit Panel, in the form of Attachment 3.

Attachments/Annexures

- 1 Audit Panel Charter (January 2018 version)



- 2 Local Government Audit Panels - A Practice Guide - (Appendix 2 - Model Audit Panel Charter)



- 3 Draft Audit Panel Charter



15. MINISTERIAL DIRECTIONS - AUDIT PANEL MEMBERSHIP

Author: Manager, Governance and Executive Support (Simon Scott)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Audit Panel

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised ‘transparent and accountable government’.

Strategic or Annual Plan Reference:

Objective 4.1 Govern in the best interests of the community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes

Reporting Brief:

To recommend that Council maintains the status quo with respect to the Audit Panel membership, in responding to Ministerial Direction 4(f).

Proposal in Detail:

Ministerial Direction 4(f) requires that Council:

... reviewing, within 6 months, the membership of the Council’s Audit Panel including the merits of all members being independent (non-Aldermen). Where aldermanic appointments are made to the Audit Panel, the Council is to ensure that the appointed aldermen have relevant professional skills for the effective functioning of the Audit Panel.

At its meeting of 19 July 2018, the Audit Panel was appraised of the statutory requirements for independent members of the Audit Panel under clause 5(5) of the *Local Government (Audit Panels) Order 2014*, which sets out the skills and qualifications required of independent audit panel members. It was also brought to the attention of the Audit Panel that no equivalent provision exists for aldermanic members of the Panel.

Despite this, the Audit Panel is of the view that having Aldermanic members on the Panel is important because they provide a valuable link to Council.

Another consideration would be that should Council be of the view to phase out aldermanic representation on the Panel, the cost of providing the Audit Panel with five (5) current members would increase by 40% in terms of increased annual fees, from \$19,320 to \$28,660 per annum (exclusive of GST).

It is recommended that, having considered the added expense to the community for no perceivable gain at this point in time, and noting that the current establishment model for the Audit Panel has served Council well for the past four (4) years, that the status quo is continued and that the audit panel continues to be comprised of two (2) aldermanic members and three (3) independent members.

Consultations:

Audit Panel Members

Director, Corporate Governance

Manager, Governance and Executive Support

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications unless Council adopts a fully independent Audit Panel. An increase of the operational budget would need to be factored to accommodate the rise in annual fees.

Human resources

There are no material human resource implications

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Do not adopt the recommendation				
If Council does not comply with the Ministerial Directions as provided under section 225(2) of the <i>Local Government Act 1993</i> then there is potential for a complaint to be lodged for non-compliance under section 339E and further scrutiny and sanction by the Director of Local Government	Major (C4)	Likely (L4)	Significant	Council continues to progress actions required to comply with these Directions

Community Consultation and Public Relations Implications:

Community consultation

Nil

Public relations

Nil

Recommendation:

That Council:

1. APPROVE that the current composition of the Audit Panel remains as being constituted of three (3) independent members (of which one (1) is appointed the Chairperson) and two (2) Aldermanic members
2. NOTE that in considering resolution (1), this will satisfy the intent of Ministerial Direction 4(f), and
3. NOTE that the General Manager will inform the Audit Panel of Council's decision.

Attachments/Annexures

Nil

16. MINISTERIAL DIRECTIONS - MONTHLY REPORT

Author: Manager, Governance and Executive Support (Simon Scott)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Ministerial Directions

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Leading our Community

- | | |
|----------------|---|
| Objective 4.1 | Govern in the best interests of our community |
| Strategy 4.1.1 | Manage Council for maximum efficiency, accountability and transparency |
| Strategy 4.1.3 | Maximise regulatory compliance in Council and the community through our systems and processes |

Reporting Brief:

To inform Council of the progress towards completing the action items out of the Ministerial Directions Implementation Plan for the period ending 19 November 2018.

Proposal in Detail:

At its meeting of 29 October 2018, Council was informed of the progress of satisfying the Ministerial Directions (as at 19 October 2018).

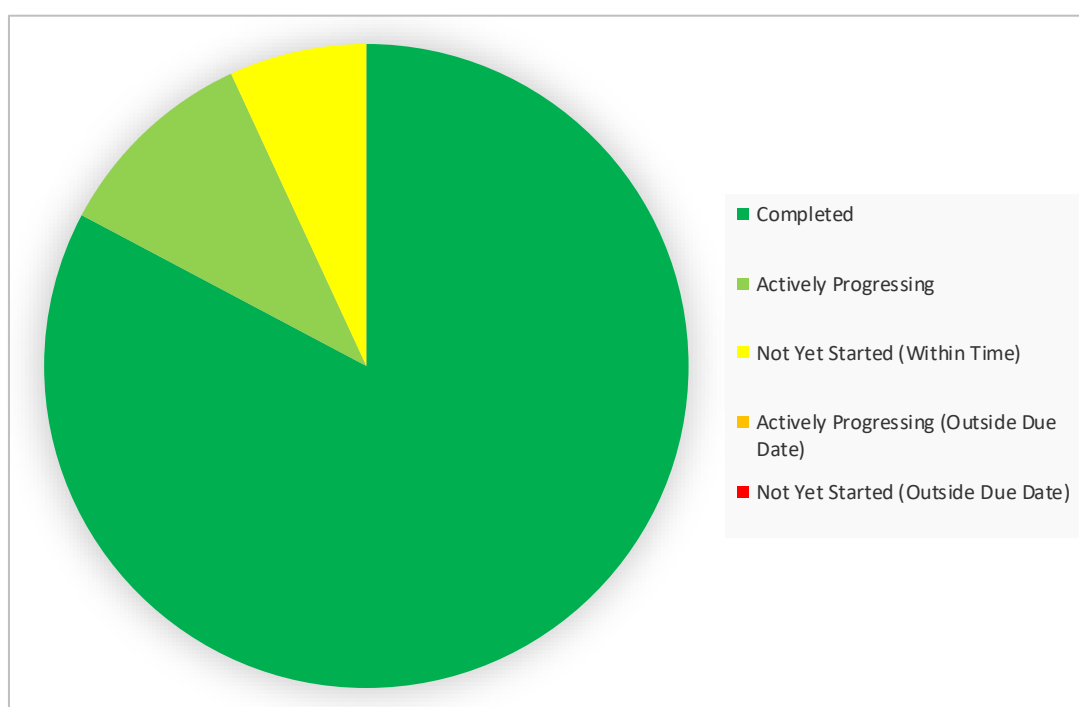
As per Attachment 1, there are 58 Ministerial Direction actions that are required to be undertaken by Council.

As at the date of this Report, Council had completed the following one (1) additional action over the reporting period, meaning that the total actions completed to date has increased to 48:

- within a period of 9 months, in consultation with the community, developing a communication and consultation plan for all internal and external communications and consultation processes that is consistent with the eight characteristics of good governance outlined in the Good Governance Guide.

Council's progress of actions required to comply with the Directions is summarised as follows:

• Actions completed	48
• Actions being actively progressed	6
• Actions not yet started but within time	4
• Actions being actively progressed and outside due date, and	0
• Actions not yet started and outside due date	0
	<u>58</u>



Consultations:

Mayor
General Manager
Director, Corporate Services

Human Resource / Financial and Risk Management Implications:

There are not considered to be any material financial or human resources implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Do not adopt the recommendation If Council does not comply with the Ministerial Directions as provided under section 225(2) of the <i>Local Government Act 1993</i> there is potential for a complaint to be lodged for non-compliance under section 339E and further scrutiny and sanction by the Director of Local Government	Major (C4)	Likely (L4)	Significant	Council continues to progress actions required to comply with these Directions

Community Consultation and Public Relations Implications:

There has been no community consultation due to the nature of the document.

Recommendation:

That Council:

NOTE the progress satisfying the Ministerial Directions in the form of Attachment 1 as at 19 November 2018.

Attachments/Annexures

- 1 Ministerial Directions Implementation Progress Report (November 2018)

17. CORPORATE REPORTING: GENERAL MANAGER'S OVERVIEW AND DIRECTORATE SUMMARIES

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Corporate Reporting

Community Plan reference:

Leading Our Community

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

Strategic or Annual Plan reference:

Making Lives Better

Objective 1.3 Facilitate and/or delivers services to our communities

Strategy 1.3.2 Directly deliver defined services to our communities

Leading Our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Objective 4.2 Prioritise resources to achieve our communities' goals

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

Reporting Brief:

To provide Council with the Quarterly General Manager's Overview Report for the quarter ending 30 September 2018.

Proposal in Detail:

The Quarterly General Manager's Overview Report for the quarter ending 30 September 2018 provides detail on the Council's key strategic projects, core business activities, financial performance and forecasting and monitoring of the Annual Plan.

Attachment 1 is the Quarterly General Manager's Overview Report and comprises the following sections:

- General Manager's Overview Report
- Directorate Summary Reports, and
- Quarterly Annual Plan Progress Report.

The purpose of the report is to assist Council in its strategic oversight of Council operations and the progress of the implementation of the Council's Annual (operational) Plan. A further benefit of this reporting is that it helps to make Council's operations more transparent to the community.

Financial Performance Report

This report also provides the Financial Performance Report for the year-to-date ending 30 September 2018. In summary, the financial position is \$49,000 more favourable than budgeted.

Consultations:

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

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

Human Resource / Financial and Risk Management Implications:

The General Manager's Overview Report assists Council's risk management by regularly monitoring and reporting on the progress of Annual Plan actions, major projects, key activities of Council and financial performance.

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

Community Consultation and Public Relations Implications:

Community consultation

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

Public relations

There are no material public relations implications.

Recommendation:

That Council:

RECEIVE and NOTE the General Manager's Overview, the Directorate Summary and the Quarterly Annual Plan Progress reports for the Quarter ending 30 September 2018.

Attachments/Annexures

- 1** General Manager's Overview Report - Q1



- 2** Annual Plan Progress Report - Q1



18. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

Author: Acting Manager, Legal Services (Bryn Hannan)

Qualified Person: Director, Corporate Services (Jenny Self)

ECM File Reference: Procurement

Community Plan Reference:

Leading our Community

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

Strategic or Annual Plan Reference:

Leading our Community

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

Reporting Brief:

To inform Council of exemptions that have been applied to the procurement requirements under Council's Code for Tenders and Contracts for the period 22 October to 19 November 2018.

Proposal in Detail:

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

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

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

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

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

The Exemption Report covers the period from 22 October to 19 November 2018. There have been two exemptions approved for the period totalling \$22,957.66 in budgeted operational expenditure.

Consultations:

Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The Exemption Report identifies \$22,957.66 in budgeted operational expenditure that has been approved.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low (4)	Council notes the reasons identified for the exemptions and satisfies itself that each is sound and in accordance with approved procedures.
Criticism of Council's acceptance of procurement process exemptions and associated expenditure.				
Do not adopt the recommendation	Moderate (C3)	Possible (L3)	Moderate (9)	Council communicates reasons for refusal and identifies preferred practices and information required for future exemptions.
Council officers less likely seek exemptions in accordance with approved processes, leading to business inefficiency and excessive administrative burden on staff and suppliers.				

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken.

There is unlikely to be any material public relations impact.

Recommendation:

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period from 22 October to 19 November 2018.

Attachments/Annexures

- 1 Procurement Exemption Register



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

19.1 NOTICE OF MOTION - ALD DUNSBY - AUSTRALIA DAY CELEBRATIONS

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Notice of Motion

Reporting Brief:

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

Proposal in Detail:

Following the demise of the precinct program, the community no longer has an event in this City to engage in celebrations to mark Australia Day, outside of the Citizenship ceremony that incorporates the announcement of the Citizen and Young Citizen of the Year.

The former Greater Claremont Precinct undertook to organise a community event in past years and successfully engaged hundreds of residents in activities on the Village Green at Claremont each year. The event was run on a minimal budget and received support from Denison (now Clark) and Derwent politicians, Claremont Guides, Lion's Club of Glenorchy, Claremont Combined Neighbourhood Watch, plus various other parties. Council staff were involved in convening planning meetings and they also provided support on the day.

Prior to that, a more significant event was held at Tolosa Park with a range of family activities, until curtailed by a previous Council.

A vision to see citizenship, announcement of Citizen and Young Citizen of the Year and a community event as one activity has the capacity to engage the families who take citizenship and would also have the potential to showcase the announcement of our Citizen/Young Citizen of the Year to a greater audience.

The current format of the civic event at the DEC does not have the capacity to draw members of the general public. I believe consideration of a combined event would benefit our City, allowing us to appropriately mark Australia Day.

I believe the motion as adopted in January 2017 was misconstrued by Council staff, with a belief that all of the workload was to be put back on them. My intention was for Council to auspice the working party, as there are members of the community willing to get behind an appropriate acknowledgement of Australia Day in our City.

Officer's Response:

The new manager of the Community Department, who commences in late December 2018, will convene a planning meeting for consideration of a community celebration to mark Australia Day in 2020 and beyond.

The planning meeting will consider who in the community may wish to be involved in running an event, how to engage the community if an event were held and possible human and financial resources required. Once these actions have been scoped, a report will be provided to Council.

Recommendation:

That the working party enacted by motion at the Council meeting held on 23 January 2017 be convened, with the addition of organisational and community members to enable celebrations to mark Australia Day in 2020 and beyond to be considered.

Attachments/Annexures

Nil.

19.2 QUESTION ON NOTICE - ALDERMAN FRASER - CAPITAL WORKS PROGRAM

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Questions on Notice

Reporting Brief:

To consider a Question on Notice by Alderman Simon Fraser submitted under regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

How does Glenorchy City Council prioritise which streets are upgraded/repaired and budgeted for in our annual capital works program?

Answer:

Council prioritises projects using a combination of computer modelling, onsite assessments by technical officers and review and approval by Council's Infrastructure Management Group.

The computer model simulates the best combination of actions to maintain the road network at an acceptable level of service. The cost of undertaking these actions assist Council in setting the level of renewal funding required in the Long Term Financial Plan.

The model uses a number of criteria including the volume of traffic, condition, treatment selection (reseals, reconstruction), and treatment costs. The output of this model creates a 10 year Capital Works Program.

The annual Capital Works Program is formed by taking the first year from the model and combining this with onsite assessments from technical staff. The program is then reviewed and approved by Council's Infrastructure Management Group to ensure that the work is in line with Council's strategy, resourcing ability, and budget constraints.

Attachments/Annexures

Nil

19.3 QUESTION ON NOTICE - ALD. DUNSBY - GLENORCHY GAZETTE

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Questions on Notice

Reporting Brief:

To consider a Question on Notice by Alderman Jan Dunsby, submitted under regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Council engages with Corporate Communications in their role as producers of the Glenorchy Gazette. The Gazette is a marketing tool for Council, as well as a conveyor of community news throughout our city.

The recent use of the Gazette as a means to promote the future introduction of FOGO bins has highlighted that many residents do not receive the Gazette at all.

1. Is Council able to ascertain from Corporate Communications the coverage of households that the Gazette actually reaches?
2. How many calls are received by Council in relation to Gazette non-delivery and what actions stem from those customer enquiries?
3. Additionally, what actions will Corporate Communications undertake to ensure residents receive regular delivery?

Answers:

1. It is understood that circulation is currently approximately 24,000 households in the municipality.

Council is also aware that the Gazette is not able to be delivered to all areas on Glenorchy, but is satisfied with current coverage. Numerous other means of external communication are used to ensure that our messages reach as many residents as possible. For example, the promotion of the FOGO bins survey was done through the Gazette, Council's website, the Glenorchy Matters Community Panel, and an email to our community database which includes politicians, schools, service providers and more and a display in the council foyer. There was also a detailed community engagement plan that was developed in conjunction with several key stakeholders. To date, the FOGO survey has had the highest response rate that Council has ever received for a survey of this type.

Corporate Communications (the company which owns and publishes the

Gazette) is a private company that is not associated with Council.

2. Council receives occasional, infrequent, inquiries from members of the public about non-delivery the Gazette. Residents are asked to contact Corporate Communications directly, as Council is unable to address their concerns.
3. The General Manager will forward your question to Corporate Communications on behalf of Council.

Attachments/Annexures

Nil.

CLOSED TO MEMBERS OF THE PUBLIC

20. CONFIRMATION OF MINUTES (CLOSED MEETING)

21. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

22. AUDIT PANEL MINUTES AND CHAIR'S 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. KGV SPORTS AND COMMUNITY PRECINCT - PROJECT UPDATE

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

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