

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 26 November 2018 at 6.00 p.m.**



Present: Aldermen K. Johnston (Mayor), M. Stevenson (Deputy Mayor), J. Dunsby, S. Fraser, B. Thomas and K. Sims.

In attendance: Mr. T. McMullen (General Manager), Ms. J. Self (Director Corporate Services), Mr. D. Ronaldson (Director Community and Strategy), Ms. S. Fox (Director Development and Customer Services), Mr. T. Ross (Director Infrastructure and Works), Mr. B. Hannan (Acting Manager Legal Services), Mr. B. Richardson (Acting Chief Financial Officer), Ms. K. Williams (Coordinator Planning Services), Ms. L. Byrne (Strategic Planner) and Mrs. J. King (Mayoral and Executive Support Officer).

Workshops held since **Date:** Monday, 5 November 2018

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

- MONA Presentation
- Strategic Plan

Date: Monday, 19 November 2018

Purpose: To discuss:

- CBD Revitalisation Update on Design and Communications
- Status Updates

Twelve (12) members of the public attended the open part of the Council meeting.

The meeting began with a prayer by Pastor Joel Ortiz.

The Chair opened the meeting at 6.03 p.m.

The Chair read the following two statements:

Statement 1:

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

Statement 2:

In relation to work health and safety at the Council meeting.

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

1. APOLOGIES

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

2. CONFIRMATION OF MINUTES

Resolution:

THOMAS/DUNSBY

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

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

None.

4. PECUNIARY INTEREST NOTIFICATION

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

Alderman Dunsby declared an interest in Item 9 (Council Donations and Sponsorships).

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. APP. (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 (SHEE* 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. APP. (C.192563)		
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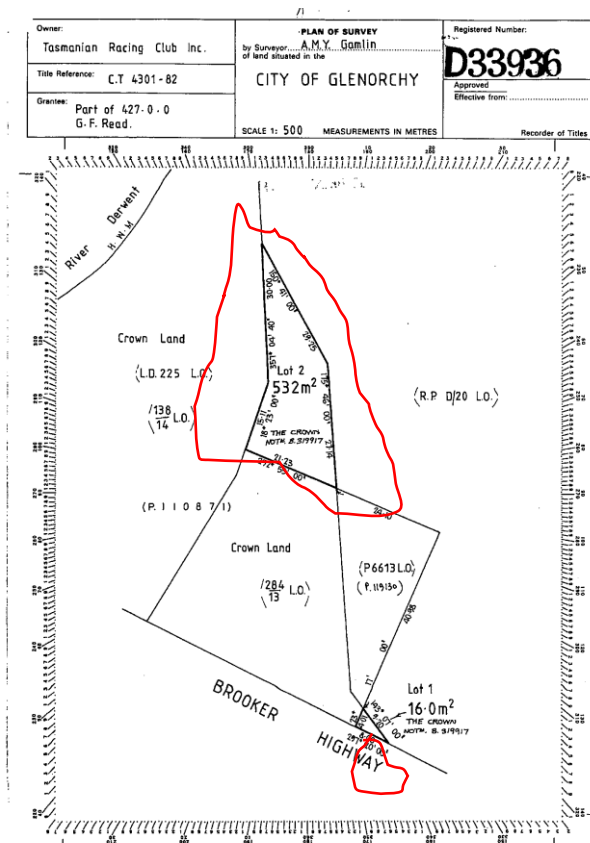
The area in red indicates that on the registration of the Folio Plan, ownership would vest in the Derwent Entertainment Centre Authority (**the DEC Authority**). The Folio Plan was registered on 29 July 1994 and created the parcel of land now known as Volume 110871, Folio 1 (i.e. the Land). On its creation, 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' 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, Infosate 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)

Doug Richardson, 30 Amiens Avenue, Moonah

Q. In the Mayor's letter dated 20 November 2018 regarding existing traffic control measures on Amiens Avenue, Moonah, it was stated that only one crash had occurred in the last five years. Does this mean council does not count side mirrors and minor body damage as in approximately last twelve (12) months I have counted eleven (11).

Q. The new 'no stopping' line was installed at the northern chicane not the southern end. When will the southern No Stopping line be updated.

Q. As it is not infrequent, as suggested, that vehicles pass on the wrong side of islands, does this mean council accepts that it is ok to break the law?

A: Mr Richardson's questions were taken on notice.

John Green, Unit 1, 8 Dawkins Court, West Moonah

Q. What is happening with the potential sale of the Derwent Entertainment Centre? Have there been any more offers received?

A: (Mayor) At the last Council meeting, Council resolved to conduct an expression of interest process for the sale (or lease) of the DEC. Council is currently preparing the EOI documentation and expects to open the process early in 2019.

James Bryan, 14 England Avenue, Montrose

Q. Mr Bryan noted that the answer to a question he asked at the previous Council meeting (which was taken on notice) which was provided in a letter to him from the Mayor dated 20 November 2018 was not provided in the agenda and queried why it had been omitted.

- **Do all Aldermen receive a copy of such correspondence as a matter of course?**

A: The question was taken on notice.

- **Is this simply and unintended omission, or is there a reason for this?**

A: The Mayor advised that the letter to Mr. Bryan should appear in the agenda for the current meeting under item 5 (Response to previous public questions taken on notice). It was subsequently identified that the answer was mistakenly omitted from the agenda. It will be published in the agenda for the December meeting instead.

Q. Will Council inform the media of the following revised figures in relation to the Derwent Entertainment Centre:

- 1. the replacement value of the building as it now stands is \$38.5M, and**
- 2. the annual depreciation, which is now \$180,000 and not \$860,000 as was reported last financial year.**

A: (Mayor) Council has released accurate information in all our dealings with the media about the DEC. We can't control what the media prints, and they continue to print inaccurate or out of date information.

Q. On Council's website there is a page which lists 'facilities for hire'. On the page listing facilities for hire there is a list of Halls, Tennis Courts, Sports Grounds.

In the list there is no mention of either the Moonah Arts Centre (MAC) or the Derwent Entertainment Centre (DEC). Both these centres have excellent websites but I am concerned that neither seems to appear or their websites linked to the Council's website. Surely listing them on the Council's website would assist in increasing patronage and hire of their excellent spaces for meetings, seminars, workshops etc. Can this be addressed?

A: The question was taken on notice.

Q: Additionally there is a Schedule of Fees and Charges for 2018/19 on the Website. The Facility Hire Charges schedule lists fees for both the MAC and DEC. With the MAC there is a sliding scale of charges depending on use and status of hirer (e.g. for the hire of the Performance/Screen Studio which seats about 140 people the daily charges range from \$360 to \$145 – Government Corporate Rate to Arts Volunteer Group or individual artists or arts project). However for the DEC on this list there is only one rate for hire, the Astley Room and Nostalgia Bar which, in theatre mode, has a capacity for 350 people has a daily charge of \$550.

Earlier this year when I asked a question regarding hire charges in the Astley Room it had a three tier scale of charges, Corporate, Not for Profit and GCC.

Is the absence of a scale of charges an omission of error or has the policy changed regarding the support of community not for profit organisations including educational, religious, charitable, sporting groups. Does this mean these groups will pay the rates listed in this Schedule of Fees? If the policy has changed, who made the change and why has such a change of policy not been discussed and approved at a Council meeting? If it is an omission by error will be rectified promptly?

A: The question was taken on notice.

Ms Janine Foley, 5 Bethune Street, Chigwell

Q. Why does GCC appear to be ‘developing’ a Facebook presence in isolation? Why not develop an integrated social media strategy/presence and include twitter, Instagram and other relevant business support platforms at the same time?

A: The question was taken on notice.

Q. Would the following be an accurate account of the way in which verge management operates across the Glenorchy LGA?

- **Households are responsible for mowing, whipper—snipping, weeding and all other activities associated with maintaining areas that could be described as the verge. Households are expected to commit their own time, energy and resources for this purpose.**
- **Households are then responsible for transporting (own transportation) any green waste materials to a waste transfer station.**
- **Households are expected to meet any cost associated with dropping off waste materials.**
- **Households are expected to meet all costs associated with cleaning, maintenance and wear and tear of their own equipment when maintaining the verge.**

A: The question was taken on notice.

Q. In relation to the above question:

- **what happens when people lack appropriate resources, equipment and skills ?**
- **what happens when people cannot afford to transport materials and meet associated costs at drop off?**
- **how do household communicate their particular situation / requirements to GCC? How does GCC manage this data?**

- Is council aware that households use a variety of methods to dispose of waste materials e.g. placing grass clippings into household waste / landfill stream? This would provide a data gap in estimating the amount of waste generated by verge household verge managers.
- If no data mapping happens how has a green waste strategy been developed that is based on accurate, timely and known data?
Does council acknowledge that if the household model is accurate then it places front line staff in a potentially high stress and vulnerable position?
- Does council acknowledge that if the household model is accurate then it has inadvertently invented and invested in a variety of ways that default to untidy, overgrown, unmanaged, unkempt landscapes?
- How does council intend to improve the aesthetic qualities of community and begin to manage sites so that the great work that front-line staff performs can occur in a more systematic, resource appropriate, community building, collegiate, cooperative and less stressful way?

A: The questions were taken on notice.

Mr. Eddie Steenberg, 128 Marys Hope Road, Rosetta

Q. Does Council conduct citizenship ceremonies?

A: (Mayor) Yes. Council conducts these ceremonies in cooperation with the Department of Home Affairs, which is responsible for immigration and citizenship.

Q. How does Council schedule citizenship ceremonies and how does it advertise them?

A: (Mayor) Council works with the Department to schedule ceremonies. When there is a sufficient number of new participants we schedule in a ceremony. It is a function which is open to the public but is primarily open to the families and supporters of the people receiving citizenship. These are not closed events but they are not widely advertised. Council follows the Department's guidelines when organizing the ceremonies.

Q. Is there any way that I can be informed of when those ceremonies are taking place so that I can attend?

A: The question was taken on notice.

Q: The Project Reference Group being created for the CBD Revitalisation Project comprises only of representatives of business. Why are Glenorchy residents as customers and certainly stakeholders not represented?

A: The question was taken on notice.

Q: The Terms of Reference of the newly created Healthy Communities Advisory Committee mentions observers of meetings. Does that imply that members of the public will be permitted to observe its meetings?

- what are the protocols for doing so? and
- which other committees may the public observe?

A: The question was taken on notice.

Q: What is the Greater Glenorchy Group?

A: (Mayor) The Greater Glenorchy Group was previously the Greater Glenorchy Precinct Committee. When the precincts system folded in the last Council administration, the group decided to keep meeting on a voluntary social basis. They discuss a whole range of issues. I have been a long supporter of precincts in the municipality. I went to almost every meeting of the former Precinct Committee and continue to attend meetings now that they are the Greater Glenorchy Group.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive the announcement of events by the Mayor.

Resolution:

STEVENSON/FRASER

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.

The motion was put.

FOR: Aldermen Thomas, Dunsby, Stevenson, Johnston, Fraser and Sims

AGAINST:

The motion was CARRIED.

9. COUNCIL DONATIONS AND SPONSORSHIPS

File Reference: General Donations and Fundraising

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.

Alderman Dunsby having declared an interest in this item, Council noted that there would not be a quorum. The following motion was moved:

Resolution:

STEVENSON/FRASER

That the item be deferred to the Council meeting on 17 December 2018.

The motion was put.

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

AGAINST:

The motion was CARRIED.

ENVIRONMENT

10. DRAFT LOCAL PROVISIONS SCHEDULE (TASMANIAN PLANNING SCHEME)

File Reference: Planning Scheme Review

Reporting Brief:

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

Resolution:

FRASER/SIMS

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

File Reference: CBD Steering Committee

Reporting Brief:

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

Resolution:

FRASER/DUNSBY

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

GOVERNANCE

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

File Reference: Council and Committee Meeting Dates and Times

Reporting Brief:

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

Resolution:

STEVENSON/SIMS

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*.

The motion was put.

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

AGAINST:

The motion was CARRIED.

13. RECONFIRMATION OF GLENORCHY CITY COUNCIL STRATEGIC PLAN

File Reference: GCC Strategic Plan 2016-2025

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.

Resolution:

SIMS/STEVENSON

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).

The motion was put.

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

AGAINST:

The motion was CARRIED.

14. AUDIT PANEL CHARTER - REVISION

File Reference: Audit Panel

Reporting Brief:

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

Resolution:

STEVENSON/FRASER

That Council:

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

15. MINISTERIAL DIRECTIONS - AUDIT PANEL MEMBERSHIP

File Reference: Audit Panel

Reporting Brief:

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

Resolution:

STEVENSON/SIMS

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

16. MINISTERIAL DIRECTIONS - MONTHLY REPORT

File Reference: Ministerial Directions

Reporting Brief:

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

Resolution:

THOMAS/DUNSBY

That Council:

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

The motion was put.

FOR: Aldermen Thomas, Dunsby, Stevenson, Johnston, Fraser and Sims

AGAINST:

The motion was CARRIED.

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

File Reference: Corporate Reporting

Reporting Brief:

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

Resolution:

SIMS/DUNSBY

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

18. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

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

Resolution:

THOMAS/DUNSBY

That Council:

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

Question without notice - Alderman Fraser

Q: Ald. Fraser mentioned that he had recently visited a constituent's home in Ashbolt Crescent in Lutana. There is no stormwater infrastructure anywhere in this part of Lutana, which means that all stormwater flows through backyards and, in the case of this person, floods underneath their home causing mold and other problems. Is there a plan for major civil works to install proper stormwater in this part of Lutana in the foreseeable future.

A: (Director Infrastructure and Works) Many landowners in this area have stormwater soakage pits to manage stormwater collected on their properties. Soakage pits can be less effective in high rainfall events and if they are not maintained by the landowner. In some areas, like Ashbolt Crescent, stormwater has run into adjoining properties causing minor flooding.

While this is classified as a civil dispute, Council has identified that flooding in the area is best managed through the installation of a stormwater network.

Ashbolt Crescent is an identified project in the forward capital works program and will address the flooding concerns raised. We continue to encourage landowners to notify Council of any flooding issues so that we can help to address them.

19.1. NOTICE OF MOTION - ALD DUNSBY - AUSTRALIA DAY CELEBRATIONS

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*.

Resolution:

DUNSBY/SIMS

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

19.2. QUESTION ON NOTICE - ALDERMAN FRASER - CAPITAL WORKS PROGRAM

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 assists 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.

19.3. QUESTION ON NOTICE - ALD. DUNSBY - GLENORCHY GAZETTE

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.

Resolution:

THOMAS/DUNSBY

That the meeting be closed to the public to allow discussion of matters that are described in Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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)

DUNSBY/FRASER

That Council move into Open Council.

The motion was put.

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

AGAINST:

The motion was CARRIED.

The meeting closed at 7.47 p.m.

Confirmed,

CHAIR

