

COUNCIL AGENDA

MONDAY, 27 AUGUST 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

22 August 2018

[NOTE: This is an amended version of the original agenda dated 22 August 2018, which has been published on 23 August 2018. The only material change has been the addition of Item 15.1, which was omitted from the original agenda.]

Hour: 6.00 p.m.

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 6 August 2018

Purpose: To discuss:

- Derwent Estuary Program Presentation
- Glenview Korongee Development
- DEC Update

Date: Monday, 20 August 2018

Purpose: To discuss:

- Aldermen's tour

TABLE OF CONTENTS:

1.	APOLOGIES	5
2.	CONFIRMATION OF MINUTES (OPEN MEETING)	5
3.	ANNOUNCEMENTS BY THE CHAIR	5
4.	PECUNIARY INTEREST NOTIFICATION	5
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
6.	PUBLIC QUESTION TIME (15 MINUTES).....	10
7.	PETITIONS/DEPUTATIONS.....	10
COMMUNITY		11
8.	ANNOUNCEMENTS BY THE MAYOR.....	12
9.	OWNER'S CONSENT FOR PLANNING PERMIT APPLICATION AT 131A ALLUNGA ROAD, CHIGWELL	16
10.	ANNUAL REPORT ON CUSTOMER COMPLAINTS - 2018 FINANCIAL YEAR	22
GOVERNANCE		26
11.	CORPORATE REPORTING: GENERAL MANAGER'S OVERVIEW AND DIRECTORATE SUMMARIES	27
12.	MINISTERIAL DIRECTIONS - MONTHLY REPORT	30
13.	PROCUREMENT EXEMPTIONS - MONTHLY REPORT.....	33
14.	ACTIONS LIST (OPEN COUNCIL MEETING): UPDATE REPORT.....	36
15.	NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE	40
15.1	QUESTION ON NOTICE - ALD. DUNSBY: TAXI PARKING OUTSIDE NORTHGATE SHOPPING CENTRE	40
CLOSED TO MEMBERS OF THE PUBLIC		41
16.	CONFIRMATION OF MINUTES (CLOSED MEETING)	41
17.	APPLICATIONS FOR LEAVE OF ABSENCE.....	41

GOVERNANCE	41
18. KGV SPORTS AND COMMUNITY PRECINCT - BUILDING DISPUTE STATUS UPDATE	41
19. AUDIT PANEL MINUTES AND CHAIR'S REPORT: 3 MAY 2018	41
20. ACTIONS LIST (CLOSED COUNCIL MEETING): UPDATE REPORT	42
21. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)	42

1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 30 July 2018 be confirmed.

That the minutes of the Special Council Meeting held on 20 August 2018 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Darrell Vincent – Berriedale

Mr. Vincent raised the issue of Council's dog registration fees, and noted that Council's fee for late payment of registration was significantly higher than for Clarence and Kingborough Councils.

Q: Can Council reduce the amount of the late payment fee for dog registrations?

A: I acknowledge that some of Council's registration and overdue fees are higher than some other Councils in Southern Tasmania (though I add, however, that some are also lower).

The reason that Council's dog registration fees are generally at the higher end of the scale is the high dog population in Glenorchy. The Glenorchy Municipality has one of the highest rates of dog ownership per capita in the country. This results in a need to employ a team of four full-time animal management staff to ensure that adequate compliance with dog management regulations is achieved and that the high dog population does not adversely impact on the safety and amenity of the local community. By comparison, I understand that Hobart City Council (which has fewer dogs per capita) employs only one full-time animal management officer.

The high dog population and consequent pressure on Council to ensure its adequate management is also the reason for the setting of overdue fees for late registration. To properly manage the dog population, Council must maintain appropriate and up to date records of dogs in the municipality. Failures to renew or register animals impacts Council's ability to adequately manage the dog population which has negative impacts on the community

Accordingly, Council sets its overdue fees to encourage owners to renew their registration by the due date (31 July each year). Council also provides multiple reminders of imminent registration due dates, including sending out bulk SMS messages approximately one week before the due date. I understand that there is also some leniency provided for late payments if the dog owner can provide a satisfactory reason for the delay.

Kaye Smith – Glenorchy

Mrs. Smith referred to the ABC's 'War on Waste' program and noted that it's presenter, Craig Reucassel, was a guest speaker at the recent Local Government Association of Tasmania conference. Mrs. Smith noted that at all Council meetings, Aldermen and Staff are provided with bottled water.

Q: What does Council do with the bottles after Council finishes with them, and why can't Council set an example by using jugs instead?

A: I acknowledge your concerns about the environmental impacts of bottled water and the need for Council to set an example about appropriate waste management. I am pleased to advise that from the 27 August 2018 Council meeting onwards, Council will no longer provide Aldermen with bottled water and will revert to the use of jugs.

Phil Butler – Glenorchy

Mr. Butler noted that there has been much media speculation about the sale of the Derwent Entertainment Centre (DEC), part of which are comments from particular groups that is that it is wrong to dispose of a community asset. His discussions with various groups indicated that is a widely held view that community has a right to use the DEC facilities.

Q: It is my understanding that the usage of the DEC by any community group (be it a school, eisteddfod group etc.) is on a strictly commercial basis. Can you confirm that this is the case?

A: The Mayor confirmed that the DEC is a commercial business which Council charges fees to use. There are very few instances where Council has provided the DEC for free. It is on a fee-paying basis only, including for school groups or community organisations.

Q: There is a petition circulating in Glenorchy and Moonah from a group that doesn't want to see the DEC sold. Whilst I encourage that public discourse, the information contained on petition and in leaflets is completely erroneous. There are factual mistakes in relation to Council's budget and in relation to the usage of the DEC by the community. Can Council take any action to correct this, before the misinformation takes hold and a misconception is spread among the community about the lack of facts?

A: The Mayor advised that she was aware of the petition and had seen flyers which accompanied it and was concerned about the factually incorrect information relating to the budget, in particular. Council has yet to make a decision about the disposal of the DEC. At the Special Council meeting on 9 July 2018, Council voted to express an interest in disposing of the DEC. That was done in accordance with the process set out in section 178 of the *Local Government Act 1993 (the Act)*. Council has advertised the matter twice in The Mercury, as required under the Act, and is seeking public submissions on the potential sale by 3 August 2018.

Council will receive those submissions, which will then be collated by officers and provided to Council in a report to Council at a future meeting. Council will then consider the facts presented and the merits based on the submissions, and will decide whether to decide to sell the DEC. It's very important to note that Council has not yet decided to sell the DEC. The Mayor reiterated her concern that the information provided in the flyer is incorrect in respect to the budget, and noted that the 2018/19 budget was a stand-alone budget that did not include any provision for the sale of the DEC.

In respect to the information about a potential loan from the State Government, the Mayor confirmed that the State had offered a \$4m interest-free loan to Council to put the infrastructure in place required to sell land at Wilkinson's point, which would be required to be repaid if and when Council sold that land. However, Council has not yet expressed an interest in selling Wilkinson's Point, which is a separate and distinct parcel of land from the DEC parcel which Council has expressed an interest in selling. It is misleading and confusing to try to state that the potential future sale of Wilkinsons Point and the loan offered by the State are connected to the potential sale of the DEC, as the petition and flyers do because these are two separate and distinct parcels of land. The Mayor noted that she would be very keen to correct the record in relation to that information.

Q: Can you indicate whether any Aldermen had signed that petition or had had it forwarded to them with a view to getting them to sign it?

A: The Mayor advised that she had not signed the petition and inquired of the other Aldermen, all of whom also indicated that they had not signed the petition.

Janiece Bryan – Montrose

Q: After the recent rates increase, how can Council consider selling the important community facility that is the DEC after a single bid if it is below the current commercial market valuation?

A: The Mayor advised that, as noted earlier in response to Mr. Butler's question, Council has not decided to sell the DEC, it has just expressed an interest in forming an intention to sell it. Council is accepting objections and submissions in relation to the proposed intention to sell it. If Council does decide to form an intention to sell the DEC, it would then take into consideration a whole range of things, including a commercial valuation any community interest, which would then be weighed up.

The Mayor noted that the potential buyer which had approached Council (Hydraplay Pty Ltd) had been very active in the media in relation to their intentions to buy the DEC, but that they were only putting forward their views, which told only their side of the story. The Mayor noted that there may be other purchasers that come forward. Council has not yet made a decision as to whether it intends to sell the DEC, let alone who it might sell it to.

Q: This is contrary to what the Consortium (Hydraplay) is saying in the media. They are saying that the sale will be completed as at 3 August, 21 days after the advertisement?

A: The Mayor acknowledged that Hydraplay has been very proactive in the media and determined that they would like to purchase the DEC, however this is not a fire sale. Council does not have to sell the DEC to anyone, and has not even decided to sell the DEC, and that is the very clear message that has been given to any potential purchaser. Naturally it is in Hydraplay's interests to talk things up in the media (which they have been doing), but Council will not be bullied into making a decision, and will only make a decision that is in the community's best interests.

The Mayor also noted that Council has been very clear in the messages that we send out, but unfortunately has limited control over what is ultimately reported. The Mayor noted that the headline on the front page of The Mercury the day after the Special Council Meeting on 9 July 2018 was to the effect of 'DEC For Sale', which did not accurately reflect Council's decision. However, Council will be mindful of how we communicate with the public, and welcomes anyone's concerns, questions and submissions.

Q: You were quoted on ABC Radio last week as saying that Council cannot test the market because of its tight timelines?

A: Council has welcomed expressions of interest and has noted this in its advertisement, which was part of its decision made on 9 July 2018. Council has not started a formal expression of interest (EOI) process, but are still welcoming EOIs from potential purchasers. Council may ultimately decide to conduct a formal EOI process.

The Mayor encouraged Ms. Bryan to lodge a submission by the deadline of 3 August 2018 if she has a view that a formal EOI process should be undertaken.

Marlise Zeimber – Lenah Valley

Q: The advertisement relating to the sale of the DEC provided a period of 3 weeks to make submissions. I only became aware of this a few days ago. Could the 3 weeks be extended to 3 months to give people more time to consider whether to object?

A: The 21 day period is the a statutory notification period prescribed under section 178 of the *Local Government Act 1993*. This is because if someone lodges an objection to the sale of public land and a council subsequently decides to sell the public land, there are appeal rights which are triggered to the Resource Management and Planning Appeal Tribunal. If Council was to extend the consultation period beyond 21 days, those appeal rights may be adversely affected.

Council has done all it can (within reason) to get the information about the potential sale in the public domain. We have published notice of our intention twice in The Mercury (as required), put notices on the Brooker Highway adjoining the land and in Council's chambers and published it on our website. There has also been extensive media coverage in all major Tasmanian newspapers, commercial television and radio stations and on the ABC.

The Mayor encouraged anyone who wished to make a submission to do so by 3 August 2018.

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 Tuesday, 24 July 2018 and Monday, 20 August 2018.

Tuesday, 24 July 2018

- attended a meeting with a resident
- attended a meeting with community representatives
- attended a meeting with Salvation Army Glenorchy Store representative

Wednesday, 25 July 2018

- attended a meeting with DPAC representatives
- attended the Local Government Association of Tasmania Annual General Meeting and General Meeting

Thursday, 26 July 2018

- chaired the Safer Communities Committee meeting
- attended the Local Government Association of Tasmania Annual Dinner

Friday, 27 July 2018

- attended the Community Dinner organized by the Glenorchy Lions Club and the Multicultural Council of Tasmania

Monday, 30 July 2018

- attended a meeting with Salvation Army Glenorchy Store representative
- chaired the Council Meeting

Tuesday, 31 July 2018

- attended an STCA UTAS briefing with Vice Chancellor Rufus Black

Wednesday, 1 August 2018

- attended a thank you morning tea for Liberatore Allocca
- attended a meeting with a resident
- hosted TasWater for an Aldermanic briefing

Thursday, 2 August 2018

- attended a meeting with Centacare Housing Evolve representatives
- participated as a guest panelist on “Is Hobart’s future on track” Q & A forum

Friday, 3 August 2018

- attended a meeting with DPAC representatives
- attended an excursion to Council Chambers by Austins Ferry Primary School children
- attended the Magistrates Court regarding the matter *Slade v Stevenson*

Monday, 6 August 2018

- chaired a Council Workshop

Tuesday, 7 August 2018

- attended a meeting with Derwent Valley Councillor Julie Triffett
- attended the TasWater Owners Representatives Quarterly Briefing

Wednesday, 8 August 2018

- participated as a guest panelist in a “Women in Leadership” forum organized by TasCOSS
- attended the Opening Night of Guilford Young College’s production of ‘Little Shop of Horrors’

Friday, 10 August 2018

- coached the Celebrity Basketball Fundraising Game in support of Second Count
- attended the SEABL Semi-Final Game at the DEC

Saturday, 11 August 2018

- officially opened the Tasmanian Art Group Exhibition at Magnolia 73

Sunday, 12 August 2018

- attended and presented trophies at the Glenorchy District Junior Football Presentation Day

Monday, 13 August 2018

- attended the unveiling of Waste-Ed Artwork on the Council Litter Truck at St Therese Primary School and Springfield Gardens Primary School
- attended a meeting with representatives of the Claremont Flower Show
- attended a meeting with representatives from Cricket Tasmania and Cricket Australia
- chaired the Glenorchy Planning Authority meeting

Tuesday, 14 August 2018

- attended the handing over ceremony of shelters at the Windermere Bay Playground with Claremont Rotary Club and the Claremont RSL
- attended the launch of UTAS I-PREP

Thursday, 16 August 2018

- attended the Greater Glenorchy Group meeting

Friday, 17 August 2018

- attended the Moonah and Glenorchy Business Association and City of Glenorchy Excellence Awards breakfast
- attended a meeting with the Director of Local Government
- attended the opening of Sue Hickey MP's electorate office

Saturday, 18 August 2018

- judged the BRMA's Model Train Show exhibits with Craig Farrell MLC
- attended and laid a wreath at the Vietnam Veteran's Memorial Service at the Cenotaph
- attended the Vietnam Veteran's Day luncheon at the Claremont RSL
- attended the Model Train Show Exhibitor's celebration and presented trophies

Sunday, 19 August 2018

- attended the Glenorchy RSL Annual Luncheon

Monday, 20 August 2018

- attended the STCA meeting
- attended the Aldermen's Council Tour/Workshop
- chaired the Special Council Meeting

A significant number of other internal Council meetings and administrative duties were also undertaken, particularly in relation to the Derwent Entertainment Centre and the Meningococcal Immunisation program.

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, 24 July 2018 to Monday, 20 August 2018.

9. OWNER'S CONSENT FOR PLANNING PERMIT APPLICATION AT 131A ALLUNGA ROAD, CHIGWELL

Author: Acting Manager, Environment and Development
(Alex Woodward)

Qualified Person: Director, Infrastructure and Works (Ted Ross)

ECM File Reference: PLS43A-18/01

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

Action 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 consent, as the owner of land, to the making of a planning permit application to allow for the establishment of a services easement over land owned by Council at 131A Allunga Road, Chigwell (the North Chigwell Sports Ground).

Proposal in Detail

Background:

On 20 April 2018, Johnston McGee & Gandy Pty Ltd, on behalf of Wilson Homes and the Catholic Church Trust (**the Applicant**), lodged a combined planning scheme amendment and planning permit application request to rezone land at 115 Allunga Road, Chigwell from Community Purpose Zone to General Residential Zone and to subdivide the land into 3 lots plus road (**Planning Application**).

After the Application was submitted, the Applicant identified that it was necessary to request the creation of a 3 metre wide easement over Council owned land, namely the North Chigwell Sportsground located at 131A Allunga Road, Chigwell (**the Council Land**).

The easement is required to provide infrastructure servicing requirements for sewer and stormwater connections to the land the subject of the Applicant's proposed development.

Figures 1, 2 and 3 (below) show the Council Land and surrounding areas and the location of the existing and proposed easements.

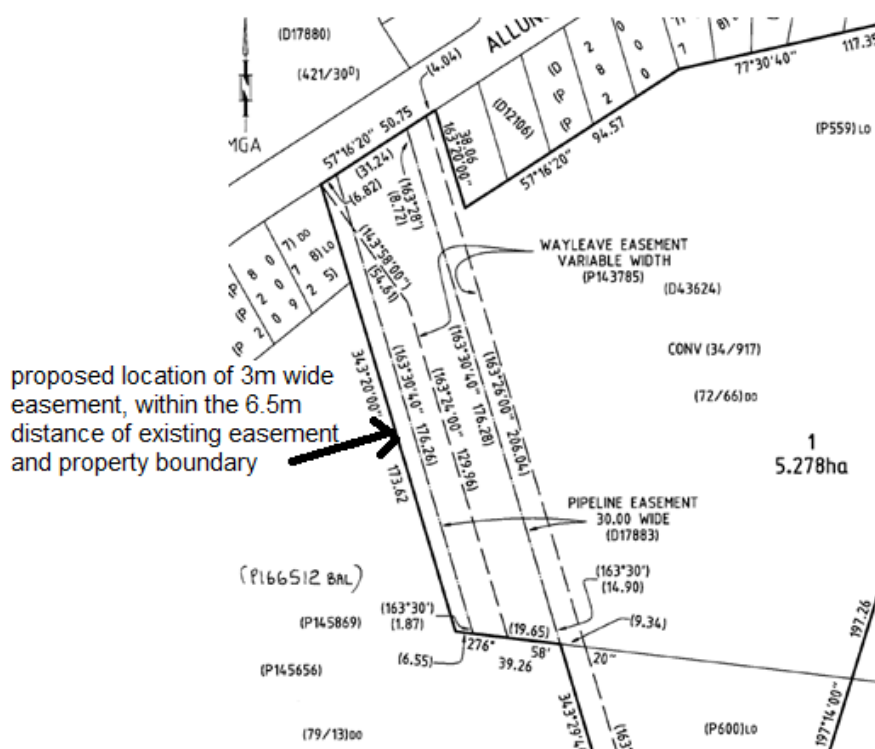


Figure 1 – extract from property title showing extent of easements of Council land and proposed location of subject easement.



Figure 2 – Aerial image of the Council Land.

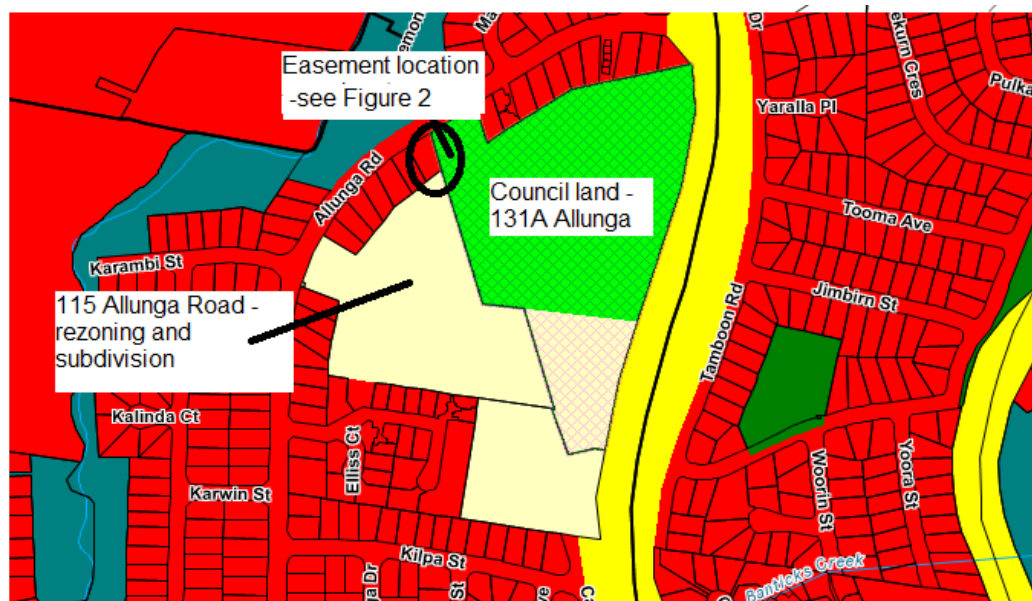


Figure 3 – Subject land and surrounding area.

Because the proposed easement would run over the Council Land, it is necessary for the Council Land to be included in the Planning Application.

Under section 43D of the former provisions of the *Land Use Planning and Approvals Act 1993 (LUPAA)*, Council's consent, as the owner of the land, is required for the Council Land to be included in the Planning Application.

Council has not delegated its powers under section 43D to the General Manager. Further, Council's '*General Manager's Permission or Owner's Consent to the Making of Planning Applications*' Directive (approved by the General Manager) expressly provides that Council, and not the General Manager, must determine whether to grant owner's consent to combined permit applications and amendment requests.

Impacts on Council Land

As noted, the Council Land is the North Chigwell Sports Ground and provides recreational opportunities for the area (See Figure 3).

Pipeline and wayleave (electricity) easements, about 40 metres in width run along the western boundary of the land. The easements start about 6.5m from the western boundary (see Figure 1, above).

The location of the existing pipeline and wayleave easements limit any opportunities for Council to undertake work on the land in this area of the site. The extent and location of the existing easements are also likely to mitigate any impacts that granting the proposed easement would have on the value of the land.

Accordingly, if the amendment and planning permit was approved by Council and the proposed easement created, the impacts on Council land would be negligible.

The Applicant will be required to arrange for the appropriate plans to be drawn and, once approved by Council, registered with the Land Titles Office. The applicant will conduct all tasks and bear all costs associated with drawing the plans and registering the easement.

Assessment of the permit application and planning scheme amendment

Assessment of whether the Planning Application meets the legislative requirements of LUPAA cannot be determined until the proposal is made valid and is subsequently assessed. The proposal cannot be made valid unless Council, as the owner of the Council Land, consents to the making of the planning permit application.

If Council's consent is granted, a decision on whether the proposal meets the legislative requirements of LUPAA would be made at a future Glenorchy Planning Authority meeting.

Conclusion

The impact of the proposed use of Council land for the proposal is minimal and unlikely to have any subsequent effects on how Council can use or develop the Council land.

Consent to the 'making' of the application will have no bearing or impact on the assessment of the proposed permit or planning scheme amendment.

A report on whether the proposed combined planning scheme amendment and planning permit application request is appropriate will need to be considered by the GPA to determine if the proposal is appropriate.

Consultations:

Acting Director, City Services and Infrastructure
Strategic Planner
Property Officer

Human Resource / Financial and Risk Management Implications:

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

Risk Management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Council takes appropriate measures to ensure that any damage to the Council Land is rectified and that interruption to the use of the Sports Ground is minimised.
Damage to Council land as a result of services installation and temporary restriction of access.				
Do not adopt the recommendation	Moderate (C3)	Likely (L4)	Notable	Council assists the Applicant to identify a satisfactory alternative solution to allow the development to proceed with minimal delay.
The Applicant will be forced to redesign parts of the proposed development to establish alternative services locations, leading to criticism of Council for impeding development.				

Community Consultation and Public Relations Implications:

There has not been any community consultation undertaken. The proposed easement will not impact on the use of the Council Land or inhibit its use as a public sporting facility.

There are no material public relations impacts.

Recommendation:

That Council:

1. CONSENT, as the owner of land, to the making of a combined planning scheme amendment and planning permit application by Johnston McGee & Gandy Pty Ltd, on behalf of Wilson Homes and the Catholic Church Trust over land which includes 131A Allunga Road, Chigwell (**Council Land**), on the basis that the Council Land is only included in the application to the extent that it is required for the purposes of an easement, and

2. AUTHORISE the General Manager to take any steps necessary give effect to Council's resolution in paragraph 1 (above), including by signing any required documentation.

Attachments/Annexures

- 1  Planning permit application form
- 2  Letter consenting to Council land forming part of the proposal

10. ANNUAL REPORT ON CUSTOMER COMPLAINTS - 2018 FINANCIAL YEAR

Author: Customer Service Coordinator (Gabrielle Bowring)

Qualified Person: Acting Director Community, Economic Development and Business (David Ronaldson)

ECM File Reference: Complaints

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:

Leading our Community

- 4.1 Govern in the best interests of our community
- 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Reporting Brief:

To provide the annual report to Council on the number and nature of complaints received against Council for the 2017/2018 financial year, as required under section 339F(5) of the *Local Government Act 1993*.

Proposal in Detail:

Section 339F(5) of the *Local Government Act 1993* (**the Act**) provides that:

"The general manager is to provide the council with a report at least once a year of the number and nature of complaints received"

On 12 December 2005 Council adopted a Customer Service Charter (**The Charter**) as required by section 339F of the *Local Government Act 1993*. The Charter came into effect on 1 January 2006 and was most recently updated and endorsed by Council on 15 May 2017.

The updated Customer Service Charter has been rolled-out across the organisation over the past year. Managers and Coordinators are responsible for overseeing its continued implementation.

In order for Council to monitor its performance against the Charter and to meet its service level requirements, Council has established and maintains a complaints register. The information in this report is extracted from the register.

The register records details of 'complaints' received against Council, as distinct from 'service requests'. A 'complaint' is recorded when a service request has been made but not actioned or where there is dissatisfaction with a Council procedure or policy.

From 1 July 2017 to 30 June 2018, there were seventeen (17) items identified as complaints recorded on the register.

Operational Complaints

The following is a summary of action taken on those complaints, and a comparison to previous years. For the purpose of the following data, a 'complaint' is defined as a record of a customer's dissatisfaction with the delivery of a service offered by the Council.

2017/18 Performance

Total Complaints against Council	Response sent within Service Level
17	11

Summary and Comparison

Year to Date	2017/18	2016/17	2015/16	2014/15
Total Registered Complaints	17	27	33	18
Response sent within Service Level (10 working days)	11	25	29	16
Result (%)	65%	93%	88%	88%
By Source				
Phone	1	2	5	0
Email	14	23	20	13
Letter	1	0	7	5
Visits	1	0	0	0
Internet	0	2	1	0
By Department				
Corporate Governance	9	13	9	5
City Services and Infrastructure	8	14	21	13
Community, Economic Development and Business	0	0	3	8

Total Mayoral Complaints	Response sent within Service Level	Result %
69	40	58%

The above data indicates that there is a noticeable drop in the total number of complaints recorded against Council, from 27 to 17 (a reduction of 37%). However, there has also been a drop in the percentage of complaints responded to within the time required under the Charter when compared to previous years (the current result of 65% represents a 28% decrease over the previous year).

This can likely be attributed to the reduction in the mandatory response time to complaint from 20 to 10 working days (which was adopted in the current version of the Charter) and difficulties meeting this time frame and monitoring response times with current resourcing levels. Despite not meeting time frames in all cases, all complaints have been responded to, and there are no open complaint items left over from the 2017/18 financial year.

The responsibility for ensuring complaints are responded to within the Charter's timeframes, and addressing any identified improvements, lies with each employee tasked with responding to a complaint, with accountability to their respective managers (and not with Council's Customer Service section).

Consultations:

Acting Director, Community, Economic Development and Business
Acting Manager, Community and Customer Service

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications.

Human resources

There are no material human resources implications.

Risk management

The report is for information only. There are no material risk management implications associated with its adoption.

Community Consultation and Public Relations Implications:

The report indicates that Council needs to improve its response time to the community when dealing with complaints.

The service levels and response times identified in the Charter require a faster response than was required in previous years. Improvement in this area will underline Council's willingness and desire to continue to improve outcomes for the community.

Recommendation:

That Council:

RECEIVE and NOTE the 2017/2018 Annual Report on Customer Complaints.

GOVERNANCE

11. 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 June 2018.

Proposal in Detail:

The Quarterly General Manager's Overview Report for the quarter ending 30 June 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 progress on 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

It is important to note the figures contained in the report are provisional until the Tasmanian Audit Office completes its analysis of Council's 2017/18 accounts.

Of note are two abnormal items that impact the overall result:

Contributions – non-monetary assets: \$4.723 million

Over the course of the year, Council may identify assets not previously recorded (i.e. 'found assets') or it may receive new assets from developers (i.e. 'donated assets'). Typically, this includes land, stormwater or roads which are valued for the first time.

These are recorded in the financial accounts as income.

Assets Written Off: \$15.895 million

This recognises the loss of asset value when assets are disposed or decommissioned by Council or are destroyed as part of the asset renewal process.

The winding down of the Derwent Park Stormwater Reuse Plant contributes around \$12m while Roads, Stormwater and Buildings mostly contribute the remainder.

These are recorded in the financial accounts as an expense.

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 Quarterly General Manager's Overview Report assist 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 June 2018.

Attachments/Annexures

- 1  General Manager's Overview Report - Q4
- 2  Annual Plan Progress Report - Q4

12. MINISTERIAL DIRECTIONS - MONTHLY REPORT

Author: Acting Director, Corporate Governance (Simon Scott)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

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 15 August 2018.

Proposal in Detail:

At its meeting of 30 July 2018, Council was informed of the progress of satisfying the Ministerial Directions (as at 25 July 2018).

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

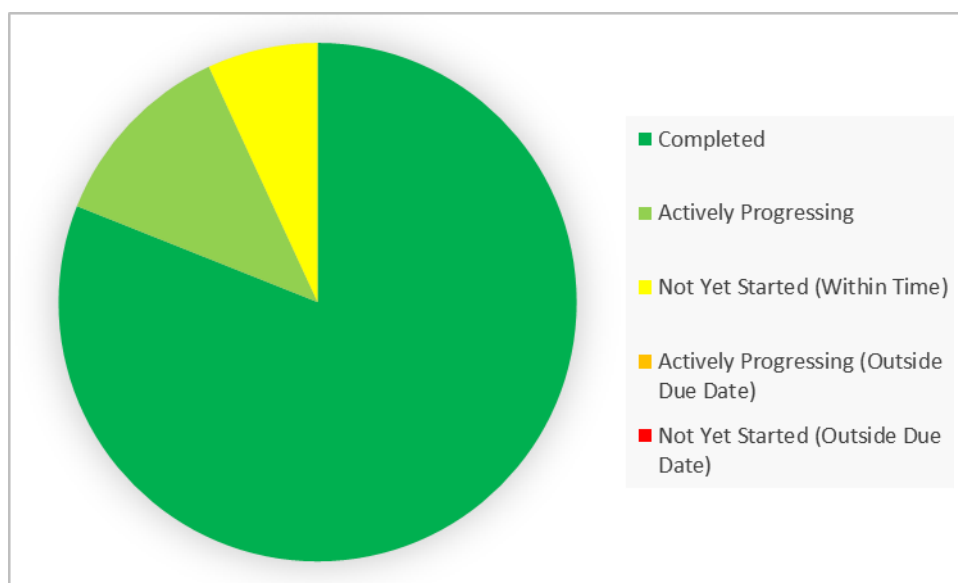
As at the date of this Report, Council had completed an additional two (2) actions, outlined below bringing the total of 47 completed actions to date:

- reviewing, and amending if appropriate, within the 2018-19 budget period: the asset management policy, and
- reviewing existing Council committees, including special committees, within six (6) months, to determine appropriateness and, where required, the establishment of new committees with appropriate terms of reference.

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

- | | |
|-------------------------------------|----|
| • Actions completed | 47 |
| • Actions being actively progressed | 7 |

- 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

58**Consultations:**

Mayor
General Manager

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> 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	Moderate (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 15 August 2018.

Attachments/Annexures

- 1 [Ministerial Directions Implementation Progress Report \(August 2018\)](#)

13. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

Author: Acting Manager, Governance and Risk (Bryn Hannan)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

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 20 July to 14 August 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 20 July to 14 August 2018.

Consultations:

Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The attached report indicates that expenditure of \$394,098.87 was approved during the reporting period for contracts which were not subject to the ordinary procurement practices. However, of that amount, \$352,779.52 was for costs associated with the payment of Council's annual insurance premiums, recurring costs of a mandatory nature, which are incurred following a rigorous policy renewal process, undertaken in consultation with Council's insurance brokers through previously approved contractual arrangements.

Acceptance of the annual premiums was approved by the General Manager, however the exemption forms were signed-off by the relevant director in accordance with usual procedures.

The annual insurance costs have been included in the Exemption Report for completeness and transparency.

Risk management

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

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken.

There is unlikely to be any material public relations impact, given that the bulk of the exempted amount is for a budgeted annual operational expense subject to its own separate approval process.

Recommendation:

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period from 20 July to 14 August 2018.

Attachments/Annexures

- 1  Procurement Exemptions Register - Jul/Aug 2018

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

Author: Acting Manager, Governance and Risk (Bryn Hannan)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Actions List - Council Meetings

Community Plan Reference:

Leading our Community

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

Objective 4.2 Prioritise resources to achieve our communities’ goals

Strategy 4.2.1 Deploy Council’s resources effectively to deliver value

Reporting Brief:

To provide Council with the Actions List (Open Council Meeting), updated following the Council meeting on 30 July 2018 and recommend that Council resolves to remove monthly action list updates as a standing agenda item.

Proposal in Detail:

Action List (Open) – August 2018

Key actions arising out of Council resolutions and/or throughout the general business of Council meetings are captured and distributed throughout Council for completion and update by departmental staff.

The Actions List (Open Council Meeting) (**open actions list**) reports on the progress of the items on the list following the 30 July 2018 Council meeting. The open actions list, as updated, is Attachment 1 to this report.

Council will note that the open actions list currently contains only two (2) items, one of which has been completed. This reflects that Council officers currently use an alternative process to track the progress of actionable items, as outlined below.

Proposed removal of actions list as standing agenda item

It is recommended that Council resolves to no longer require that the actions is a standing agenda item for Council meetings.

The actions list has been a standing item since early 2015. It was instituted by a resolution of Council at the 15 April 2015 Council meeting in response to a motion with notice moved by Ald. Stevenson. Council currently produces two actions lists (and associated reports), the open action list, and another action list for items which are can only be discussed in closed council (**closed action list**).

The rationale for implementing monthly action list updates was to allow Council to track the progress of actionable items arising from Council meetings and workshops. This was in response to concerns that actionable items were not being adequately progressed by the (then) management team. The actions list gave Council better oversight of management's progress in actioning Council resolutions month to month. It is understood that the current Council does not have any current concerns that actionable items are being appropriately progressed.

Neither of the actions lists have had any new items added to since January 2017. The number of items on each list has been progressively reduced since then as matters have been completed. There is currently only one (1) active item on the open action list (and one item that has been marked as completed this month). Similarly, only one (1) item remains on the closed actions list.

Monitoring actionable items using InfoCouncil

Actionable items which arise from Council resolutions are currently managed by Council's Governance and Risk department using an action management tool which is integrated into Council's 'InfoCouncil' software. InfoCouncil is the same application used to produce and manage Council's business papers (agendas, minutes etc).

The integration of actionable tasks with the business papers means that actionable items are now directly assigned to Council officers, and their progress electronically tracked. The software also allows for comprehensive reports on actionable items to be generated with relative ease.

This system provides for more efficient and comprehensive management of actionable items than the action lists, which are required to be updated manually.

Management is of the view that it is neither necessary nor practical to continue to produce and update either the open or closed monthly actions lists, and that this system of actionable items management should be formally retired.

Future reporting of progress on actionable items

To ensure that Council maintains oversight of the progress of actions arising from Council meetings, it is recommended that Council resolves to receive a report on the progress of outstanding actions every six months.

This would allow Council to satisfy itself that items are being appropriately progressed, and would also give the public continued access to that information through Council agendas, which will assist in maintaining transparency around the operational requirement that Council resolutions are implemented.

In addition to six-monthly reporting, individual Alderman can request a report on the progress on outstanding Council actions from Council's Governance and Risk Department at any time.

Alternatively, Council may wish to consider holding a workshop to determine how it wishes to receive information from Council's action tracking system.

Consultations:

Mayor
General Manager
Acting Director, Corporate Governance

Human Resource / Financial and Risk Management Implications:

Human Resources

It is estimated that removing the outstanding actions list from Council agendas will result of total time savings of 1 to 3 hours per month.

Financial

There are no material financial implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Rare (L1)	Low	Individual Aldermen request information on outstanding actions directly from management from time to time, in addition to the proposed new 6 monthly update report.
Council has less comprehensive oversight of outstanding actions because of the removal of the current actions list, leading to less effective tracking of tracking of actionable items.				
Do not adopt the recommendation	Moderate (C3)	Likely (L4)	Notable	Council holds a workshop to determine discuss and consider an appropriate method of tracking outstanding actions which arise from Council meetings.
Council will continue to produce action lists to track outstanding items, leading to inefficiency and a waste of resources, and reduced ability to track the progress of outstanding actions as a result of not utilising available technology.				

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken.

Removing the action list as a standing item on Council agendas will mean that the public no longer has access to that information. Though the impact of this would be minimal (given that the actions lists have not been added to for some time), there may be concerns about a lack of transparency. This is likely to be addressed by instituting the proposed alternative method of reporting outlined above.

Recommendation:

That Council:

1. NOTE the progress of the items on the Actions List (Open Council Meeting) as updated, following the 30 July 2018 Council meeting
2. RESOLVE that the *Actions List (Open Council Meeting): Update Report* and the *Actions List (Closed Council Meeting): Update Report* will no longer be standing items on future Council agendas, and that officers are no longer required to update the open and closed actions lists
3. NOTE that management will continue to monitor the progress of actions arising from resolutions of Council using its InfoCouncil application, and
4. REQUIRE an update every six months (beginning in December 2018) on the progress of actions arising from resolutions of Council.

Attachments/Annexures

- 1  Action List - Open

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

15.1 QUESTION ON NOTICE - ALD. DUNSBY: TAXI PARKING OUTSIDE NORTHGATE SHOPPING CENTRE

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 in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Many people have expressed concerns that taxis are waiting in the parking bays to the rear of the taxi rank, thus precluding on-street parking access to other road users. These parking spaces are often required by people who are unable to navigate the escalator from the lower car park, or who wish to make a quick transaction in the area. On two recent personal observations, both mid afternoon, six of the eight parking bays were occupied by taxis. I believe this is a common occurrence.

Can Council please advise:

1. Do parking officers have any jurisdiction to prevent the taxis parking in these spaces?
2. Could consideration be given to moving the taxi rank back, so that it occupies the last few current parking bays?

Answer:

An answer will be provided at the Council Meeting.

CLOSED TO MEMBERS OF THE PUBLIC

16. CONFIRMATION OF MINUTES (CLOSED MEETING)

17. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

18. KGV SPORTS AND COMMUNITY PRECINCT - BUILDING DISPUTE STATUS 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).

19. AUDIT PANEL MINUTES AND CHAIR'S REPORT: 3 MAY 2018

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).

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

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

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