

Minutes of the Meeting of the Glenorchy City Council held at the Council Chambers on Monday, 27 September 2021 at 6.00pm



NOTE: Due to social distancing restrictions around COVID-19, numbers attending were limited to a maximum of 34 including aldermen, staff and the public. The meeting was live-streamed for members of the public on Council's Facebook page.

Present (in Chambers): Alderman Bec Thomas (Mayor), Steven King (Deputy Mayor), Peter Bull, Melissa Carlton, Simon Fraser, Gaye Richardson, Angela Ryan and Sue Hickey

Present (by video link): Aldermen Jan Dunsby

In attendance (in Chambers): Tony McMullen (General Manager), Jenny Richardson (Director Corporate Services), David Ronaldson (Director Community and Customer Services), Sam Fox (Director Strategy and Development, Emilio Reale (Director Infrastructure and Works), and Bryn Hannan (Executive Officer),

In attendance (by video link): Marina Campbell (Manager Community), Tina House (Chief Financial Officer), Tracey Ehrlich (Manager Corporate Governance) and Marian Maclachlan (Executive Assistant to the General Manager)

Leave of Absence:

Workshops held since last Council Meeting

Date: Monday, 6 September 2021

Purpose: To discuss:

- 2022-23 Budget and Annual Plan process

Date: Monday, 13 September 2021

Purpose: To discuss:

- Sport and Recreation Strategy (final draft)
- Major Projects – update / discussions

Date: Monday, 20 September 2021

Purpose: To discuss:

- Aldermanic workshop – Strategic plan priorities

Three (3) members of the public attended the open part of the Council meeting.

The peak number of viewers watching the live stream of the meeting on Facebook was 37 viewers.

The Chair advised prior to the commencement of the meeting that the meeting would be recorded, as well as the meeting being live streamed to members of the public.

The meeting was opened with a prayer by Peter Clark, Claremont Baptist Church.

The meeting initially commenced at 6:01pm and was attempted to be live-streamed to Council's Facebook page. At 6.13pm proceedings reached Item 5 before technical difficulties with the audio meant the meeting had to be restarted.

The Chair re-started the meeting from Item 1 at 6:19pm. Proceedings were live-streamed with audio and recorded from this point.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal Community as the original and traditional owners and continuing custodians of the land and their elders, past, present and emerging.

1. APOLOGIES

Alderman Sims.

2. CONFIRMATION OF MINUTES

Resolution:

KING/FRASER

That the minutes of the Council meeting held on Monday, 30 August 2021 be confirmed except for an amendment to Item 9 (Election of Deputy Mayor) as follows from:

Council's Executive Officer advised the General Manager that the outcome of the final round of voting in the ballot was:

Alderman King: 5 Votes

Alderman Fraser: 4 Votes

Abstained: 1 Vote

to

Council's Executive Officer advised the General Manager that the outcome of the final round of voting in the ballot was:

Alderman King: 5 Votes

Alderman Fraser: 4 Votes

Informal: 1 Vote

Alderman Hickey foreshadowed movement of a motion in accordance with the officer recommendation.

FOR: Aldermen Dunsby and King

AGAINST: Aldermen Bull, Ryan, Thomas, Richardson, Fraser, Carlton and Hickey

The motion was LOST.

HICKEY/RYAN

That the minutes of the Council meeting held on Monday, 30 August 2021 be confirmed.

FOR: Aldermen Bull, Ryan, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST: Aldermen Dunsby and King

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

I would like to acknowledge a number of sporting achievements which have occurred over the past month.

Congratulations to the Glenorchy Knights Football team on their State premiership and the Glenorchy Women's AFL on their State premiership. The Glenorchy Spartans Basketball team on winning the championship.

And as per Deputy Mayor King's earlier suggestion, we congratulate Ben Brown former Glenorchy resident on being part of the winning Melbourne AFL Grand final team.

It is great to see these sporting achievements occur within our community.

4. PECUNIARY INTEREST NOTIFICATION

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

Alderman Fraser declared a perceived interest in Item 9 (Investigation into the Disposal (Long-term lease) of Council land at 4 and 8 Alcorso Drive, Berriedale (Glenorchy City Bowls Club and Glenorchy City Tennis Club).

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

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

Questions on notice – Eddy Steenbergen, 128 Marys Hope Road, Rosetta (submitted 10 September 2021)

At the August 2021 Open Council meeting, Ald Dunsby moved an alternative motion for Agenda item 10 regarding Playspace projects. We then heard the GM indicate that: when the alternative motion is voted on, that is the end of the agenda item unless there is a foreshadowed motion.

I understand the general purpose of someone foreshadowing a motion i.e. to inform the meeting that they intend to move a motion dealing with the same subject matter later in the meeting". But I, and probably many others, don't understand how or why it relates to Council meetings in this particular way. I ask these questions hoping for clarity.

Q1. Can I have a clear explanation of the GM's statement?

- A: Under the *Local Government (Meeting Procedures) Regulations 2015*, an item cannot ordinarily be re-considered by Council once it has been voted on, subject to some exceptions. The General Manager was referring to this when he made the statement, namely that the matter would have been decided and unable to be reconsidered unless a further motion had been foreshadowed.

Regulation 19(1)(a) provides that the chairperson may only allow a matter in respect of which a decision was made earlier in the meeting to be discussed again at that meeting if, in the opinion of the chairperson, the vote may not have accurately reflected the opinion held by the meeting due to misunderstanding of the motion “or for some other reason”.

The ability to foreshadow a motion is expressly noted in regulation 22(8) (Debate at a council meeting), which provides:

“The chairperson of a council meeting may note a foreshadowed motion given by a councillor.”

If a motion is foreshadowed under regulation 22(8) the chair is empowered under regulation 19(1)(a) to allow further discussion of the item on the basis that the foreshadowed motion is “some other reason” why the vote may not have accurately reflected the opinion held by the meeting.

Q2. Does the rule also apply to Planning Authority meetings? Meetings of any Council committee?

A: Yes, the Glenorchy Planning Authority is a ‘council committee’ under section 23 of the *Local Government Act 1993*.

The procedures in the *Local Government (Meeting Procedures) Regulations 2015* expressly apply to meetings of both the full council and council committees (this is provided in the definition of ‘meeting’ in regulation 3 of those regulations).

Q3. If Ald Dunsby had waited until the agenda item recommendation had been moved, and then moved a valid amendment to achieve her aim, would foreshadowing have become irrelevant?

A: Given the substantial difference between the two motions, had Alderman Dunsby sought to have her motion considered by moving an amendment, the amendment would have effectively needed to replace the entire motion with a new motion.

While this may technically be allowable under the regulations, it would arguably not be an ‘amendment’ to a motion. The amendment provisions are typically used to remove particular words or paragraphs but maintain the overall structure and intent of the motion.

Foreshadowing a motion during the debate is the usual mechanism by which an Alderman would seek to have Council consider a materially different motion to that which was originally moved.

**Questions on notice – Robert Holderness-Roddam
(submitted 21 September 2021)**

Q1. What are the criteria for pedestrian refuges on Main Road, Austins Ferry?

A: Question taken on notice whilst council officer receives further clarification in relation to this question from Robert Holderness-Roddam.

Q2. Further to response from Adam Muyt, 20 August 2019. I was informed that;

- (a) the walking track between the Poimena Reserve car park/BBQ area and the rivulet would be upgraded/repared in 2020; and**
- (b) the military dog reserve on Main Road, Berridale would be having a finger post sign installed in coming months.**

What are the updated schedules for these, given COVID?

A: Question taken on notice.

Q2(a) Funding for track upgrades in Poimena Reserve did not occur in 2020. Funding was no longer available as Council's priority was on upgrading the Lutana Woodland pathways. Council have undertaken a track and trail review and this will inform future upgrades.

(b) Finger Post sign request was sent through to the Works Centre Operation and Maintenance Supervisor.

A: Question taken on notice.

**Questions on notice – Janiece Bryan, 14 England Avenue, Montrose
(submitted 27 September 2021)**

Q1. In the planning process, has Council investigated the contamination status of the Giblins Park Reserve in relation to the risks to human health and the environment once this Waste Tip Landfill Site is disturbed for the Playspace Development? What will the risks from airborne contaminants and leachate be during construction and into the future?

A: [Mayor] Council has investigated the contamination status of Giblins Park Reserve as part of the Geotechnical assessment conducted. The 2020 contamination report conclusion summary stated:

- *There were no human health guideline exceedances for the soil on site, and the site is safe for construction work and continued use as public open space.*
- *There were no potential environmental impacts identified from excavation of the soil on site.*

- *The soil on site is a mixture of Level 1 (clean fill) and Level 2 (low level contamination) according to IB105. Any disposal of soil off site must be in accordance with IB105 and the controlled waste regulations. (Council's Landfill is able to take and manage controlled waste).*
- *Excavated soil may be disposed of as Level 2 material, or further investigations may be undertaken to determine if the soil can be reclassified as Level 1 material and used as clean fill.*

Risk can be controlled with construction fencing, keeping the soil damp to prevent dust from blowing off the site and keeping the capping in place to prevent leachate or airborne particle issues into the future.

Q2. At the Council Meeting on 27 August 2012 the 'Proposed Transfer of the Montrose Community Foreshore Park' was discussed in Closed Council. Could Council confirm the Montrose Foreshore is still publicly owned land? Could Council assure the community that it will remain in public hands as it is the community's most important and extensively used area for health and leisure activities?

A: [Mayor] The August 2012 report was to obtain Council's in principle approval for Council staff to enter into formal negotiations with the Crown and the Department of Education for the potential transfer of land in the Montrose Bay Area from DoE/Crown ownership/control to Council ownership and control. This was to allow the GASP Stage 1 works (funded by the State Government) to progress and enable the construction of a shared pathway around the foreshore at Montrose including a section of the pathway that crossed land leased by the Montrose Bay Yacht Club. The land was part of the Montrose Bay High School title and was administered by the Department of Primary Industries, Parks, Water and Environment (the Crown). This increased the land area of the Montrose Community Foreshore Park. The Park is still Public Land. Whilst there are no plans to dispose of this public land, if Council were to ever decide to dispose of this land it would be required to go through Section 178 of the Local Government Act 1993, which involves a transparent community consultation process where objections to any disposal will be heard.

Q3. Could Council provide the community with an updated progress report on the North Chigwell Sporting Facility Development as a result of the 2019 Community Development Grant?

A: [Mayor] In late 2018 Council received advice of Football Tasmania's success in obtaining in-principle approval for a \$12.8M grant from the Australian Government to establish a Junior Soccer Hub at North Chigwell Oval – home of Metro Claremont Football Club and a Council-owned facility. On review of the funding grant amount Council saw that there was potential to negotiate the reallocation of the funding to broaden the benefit to Council-owned football facilities in the City.

On that basis there was stakeholder negotiation for a “70%/30%” split which would see \$8.96 million allocated to the North Chigwell Junior Soccer Hub and the balance \$3.84 million allocated to KGV Football Park for much needed facilities upgrades, such as replacement synthetic pitch and lighting upgrades.

There were long delays in obtaining the funding agreement from the Australian Government, owing to a restructure of the Federal Department and the need to obtain Deputy Prime Minister’s approval for the funding split. After some agitating by Council officers a Funding Agreement was finally obtained in July 2021. However, upon review and after receiving legal advice the Funding Agreement did not provide sufficient protections to Council around the Australian Government’s disbursement of grant funds relative to project milestones and further amendments were sought from the Federal Department.

Meanwhile, Council’s project management team had proceeded with preliminary site investigations by commissioning reports into geotechnical, environmental conditions, access and egress issues and other site surveys, and are compiling this information ready to lodge Development Applications. A quantity surveyor’s estimate based on the preliminary concept design has also been commissioned.

Council has recently received the revised funding agreement and is meeting with the relevant clubs to discuss progressing these projects.

Procurement plans commenced for:

- Supply and installation of Sports Field Lighting
- Supply and installation of Synthetic Turfs
- Supply and installation of drainage to sports fields
- site investigations by commissioning reports into geotechnical, environmental conditions, access and egress issues and other site surveys

A site analysis is being undertaken by Consultants @Leisure to determine what is required and best suited for the North Chigwell sporting facility.

Questions without notice - Shane Alderton, Main Road, Austins Ferry

Q1. GCC invested \$5.5M in CBD re-development plus received \$500k from the State government and advised the cost of the re-development would be \$5.6M. The Mercury quoted \$5.8M and stated they received that information from Council. Given Council have been unable to provide me with detail on the break-down of costs re: CBD re-development as yet, how and where did the Mercury obtained that figure of \$5.8M and is that figure correct or incorrect?

A: [Executive Officer] The information was provided to the Mercury through our Communications team, we know the approximate cost is \$5.8M but in answering in your question we hope to provide you with an exact figure and not an estimated figure that we provided to the Mercury, which at the time the answer was given it was correct.

Q2. Would it be fair we have had a \$200K in blow out in costs given the Mayor's interview on radio?

A: [Mayor] No, I don't think it is fair to say that. In the radio interview I provided an estimation based on my understanding of the cost of the project that I had at that point in time.

Q3: Item 9 refers to sale of land and how community engagement was undertaken through the 'Let's Talk' portal, Why doesn't Council include in the report the number of how many people engage in the portal?

A: [Mayor] Typically we do have in the report the number of people who engage through the 'Let's Talk' portal.

[Director Community and Customer Services] Depending on the nature of the engagement activities this will determine how the report is written. They may list 'Let's Talk' in the report, but it is just one of the engagement activities undertaken.

Q4. In relation to Let's Talk – how many people have registered in the portal?

A: [Director Community and Customer Services] The 'Let's Talk' toolkit is only one tool that we use to engage with the community with. The 'Let's Talk' toolkit launched the platform in November 2020 and in the first quarter we had 1400 people visit the site, then 2300 people, 2000 people and in the last quarter 1800 people. The number of people who have actually registered to be contacted were 47 in the first quarter, in the second quarter a further 354 registered, third quarter a further 197 and then in fourth quarter which is the current quarter another 104, therefore at present we have 690 people registered.

Q5. On average how many would engage in the Council agenda items that come up?

A: [Director Community and Customer Services] In relation to that particular tool, the number who would engage would depend on their level of interest in the topic.

Q6. In broad terms would it be one percent, two percent?

A. [Director Community and Customer Services] It is hard to put a percentage to it as it does depend on the level of interest. However, over the four quarters the number of people who engaged in a range of surveys using this platform were as follows: 101 people in first quarter, then 411 in second quarter, 294 in the third quarter and in the last quarter 348. This is not per engagement but across a range of projects.

Q7: If you are not registered is your response to certain items restricted, as you can only engage if you are registered?

A: [Director Community and Customer Services] There are a range of ways you can engage with this tool. People can submit their email address to be consulted which is one method, another method is by completing a quick survey, so it will depend on their level of interest and how much time they want to engage in relation to their response.

Q8: Does Council see this as a fair and full representation of our community with over 47,000 ratepayers?

A: [Director Community and Customer Services] Depending on what Council is engaging on there are a range of tools we use and 'Let's Talk' is just one tool that provides the opportunity for people to engage with Council. As an example, if we were to propose something with Tolosa Park, we would use a range of methods to talk to our community and we would expect a high level of engagement

As an example a small neighborhood park about replacing equipment, the level of engagement would be different and the way in which we would engage with the community would be different.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

Community Goal: “Making Lives Better”

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive an update on the recent activities undertaken by the Mayor.

Resolution:

KING/CARLTON

That Council:

RECEIVE the announcements about the activities of Mayor Thomas during the period from Tuesday, 24 August to Monday, 20 September 2021.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

9. INVESTIGATION INTO THE DISPOSAL (LONG-TERM LEASE) OF COUNCIL LAND AT 4 AND 8 ALCORSO DRIVE, BERRIEDALE (GLENORCHY CITY BOWLS CLUB AND GLENORCHY CITY TENNIS CLUB)

File Reference: Disposal of Council Land 2021

Reporting Brief:

To report back to Council on the outcomes of the community engagement process around the potential disposal (by long-term lease) of Council land at:

- 4 Alcorso Drive, Berriedale to its current tenant, the Glenorchy City Bowls Club, and
- 8 Alcorso Drive, Berriedale to its current tenant, the Glenorchy City Tennis Club,

in accordance with Council's resolution of 26 July 2021 and recommend Council proceeds with the public land disposal process under section 178 of the *Local Government Act 1993* (**the Act**).

Resolution:

RICHARDSON/KING

That Council:

1. FORM an intention under section 178 of the *Local Government Act 1993* to dispose of (by long-term lease) public land contained in title reference 139511/1, also known as 4 and 8 Alcorso Drive, Berriedale (**the Land**), and respectively occupied by the Glenorchy City Bowls Club and Glenorchy City Tennis Club.
2. AUTHORISE the General Manager to take all actions necessary to complete public notification of Council's intent to dispose the Land (by long-term lease) in accordance with section 178 of the Act and Council's *Disposal of Council Land Policy*, and
3. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.

Alderman Fraser remained in the meeting but did not participate in the debate or vote on the item.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Carlton
and Hickey

AGAINST:

ABSTAINED: Alderman Fraser

The motion was CARRIED.

ENVIRONMENT

Community Goal: “Valuing our Environment”

10. WASTE SERVICES POLICY

File Reference: Policies by Directorate

Reporting Brief:

To seek endorsement of an updated Waste Services Policy for the Glenorchy City Council.

Recommendation:

That Council:

ADOPT the updated Waste Services Policy in the form of Attachment 2.

Resolution:

HICKEY/KING

That Council:

ADOPT the updated Waste Services Policy in the form of Attachment 2, with the following amendments:

- (a) In paragraph 13, replace the third bullet point and the paragraph after it with the following:

. upgrade of a general refuse MGB from 140L to 240L, subject to paragraphs 14 and 15 (below)

- (b) Insert new paragraphs 14 and 15 as follows:

14. An upgrade will only be permitted where both of the following apply:

. there are 5 or more people in the family or persons residing in the household and adequate evidence of this has been provided to Council (e.g. a Medicare card), and

. the property owner has agreed to the upgrade and to pay the additional fee (in accordance with Council’s Schedule of Fees and Charges)

15. *Despite the requirements in paragraph 14, Council may, at its discretion, approve an upgrade for households with less than 5-people in exceptional circumstances, to be assessed on a case-by-case basis.*

(c) Renumber existing paragraphs 14 to 42 as paragraphs 16 to 44.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal: “Leading our Community”

11. UPDATED COUNCIL POLICIES

File Reference: Council Policies

Reporting Brief:

To present five (5) updated policies to Council for adoption.

Resolution:

HICKEY/KING

That Council:

1. ADOPT the updated Risk Management Policy in the form of Attachment 2,
2. ADOPT the updated and renamed Access and Inclusion Policy in the form of Attachment 4,
3. ADOPT the updated Community Engagement Policy in the form of Attachment 6 with a full review to be considered as part of the development of Council’s 2022-23 Annual Plan,
4. ADOPT the updated Business Continuity Policy in the form of Attachment 8, and
5. ADOPT the updated Bushfire Mitigation Policy in the form of Attachment 10.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

12. AUDIT PANEL CHAIR'S ANNUAL REPORT 2020 TO 2021

File Reference: Audit Panel

Reporting Brief:

Council's Audit Panel Charter (clause 14.4) states that the Audit Panel, through the Chairperson, must report annually to Council on its overall operation and activities during the financial year. The purpose of this report is to table the Audit Panel Chair's Report for 2020/21 financial year.

Resolution:

BULL/RYAN

That Council:

1. RECEIVE and NOTE the Glenorchy City Council Audit Panel Chair's Report for the 2020/21 financial year, and
2. DIRECT the General Manager to provide a copy of the Audit Panel Chair's annual report to the Minister for Local Government.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

13. FINANCIAL PERFORMANCE REPORT TO 31 AUGUST 2021

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the period ending 31 August 2021.

Resolution:

FRASER/BULL

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 31 August 2021 in the form of Attachment 1.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

14. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of exemptions that have been applied to procurements under Council's Code for Tenders and Contracts for the period 17 August to 14 September 2021 and provide an update on external legal expenditure in accordance with the Ministerial Directions.

Resolution:

RICHARDSON/FRASER

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 17 August to 14 September 2021.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

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

Mayor read out a question by Alderman Fraser which had been taken on notice (30 August 2021)

Q: Does the General Manager know how many Glenorchy City Council employees have been vaccinated at this point, and what are we doing to encourage more employees to get vaccinated against COVID-19?

A. The number of employees recorded as being vaccinated at the date of the Council meeting was 43. At the date of publication of the agenda, that number had risen to 57.

It should be noted that the actual number is likely to be higher than this. Council relies on employees to self-report their vaccination status and some staff have either chosen not to or simply forgotten to advise Council of their vaccination.

Council encourages staff to report whether they are vaccinated but does not, and is legally unable to, require mandatory reporting of vaccinations by employees.

Alderman Sue Hickey – Question without notice

Q: How many staff do we have?

A: [General Manager] We have 254 full-time equivalents, approximately 350 full and part-time staff.

Q: What are we doing to encourage staff to be vaccinated?

A: [General Manager] We believe there is significant under reporting of how many staff have actually been vaccinated. However, we cannot require staff to tell us if they have been vaccinated. We believe there is some hesitancy in informing Council if they have been vaccinated in case there is another outbreak that they may be put in harms way if they are double vaccinated, but that is a supposition on our part, we don't know why the reporting numbers are so low and we certainly keep reminding staff through our communications to let us know if they have been.

Alderman Peter Bull – Question without notice

Q: If you say it is unlawful to ask staff to advise Council if they have been vaccinated, then how do businesses say if you want to work here you have to be vaccinated, as an example David Walsh from MONA has stated to his staff they must be vaccinated.

A: [General Manager] I cannot comment on other firms but I am not saying we can't ask, but we they don't have to tell us.

Q: My question is how can it be unlawful for Council when it's not for other institutions?

A: [Director Corporate Services] Some institutions have mandated it like MONA has, but Council has received advice that it is not lawful for Council to do so. Today there has been a ruling from Fair Work Commission on a test case in which a company mandated flu vaccination and the Commission has been scathing of the company who mandated this. We will watch this space carefully over time, looking at those people who have determined that they will mandate their customer facing staff to be fully vaccinated.

We are also taking advice through LGAT as well, and there is no clear position to mandate vaccinations for council staff – at this point in time we have 72 double vaccinated staff, so more people are starting to report. More vaccinations are becoming available and also opening up to younger demographics, so we expect our vaccinations rates will increase.

Alderman Fraser – Question without notice

Q: Looking at business continuity if a large number of Glenorchy staff are not vaccinated, then when COVID-19 does hit Tasmania, those staff who are not vaccinated, could severely impact on Council's ability to deliver its services, therefore this could be a potential risk for the business.

A: [General Manager] We are doing a number of Emergency management testing if the Delta outbreak comes to Tasmania and spreads within the community. We are taking active steps including testing our IT arrangements in relation to working from home and what our essential services requirements will be in the event that an outbreak does occur. We will have to move quickly to implement our plans, and as we approach the 80 to 90% vaccination rate and as Tasmania opens up, it is likely the Delta strain will arrive. However, you are correct, we would like our staff to be vaccinated but we do believe there is significant under reporting.

Question without Notice – Alderman Sims via email (received 27 September at 5.43pm)

[Mayor] We do have in tonight's agenda responses to Alderman Sims questions on the CBD revitalisation program, however, she has provided the following questions in follow up to those answers.

Q1. Can you please provide aldermen with copies of all written communication that has been provide to business throughout the CBD developments establishment and ongoing changes/updates.

Q2. My other question is in light of Councils miscommunication to the public regarding the timelines and budget for the CBD development. Why are we continuing to communicate the headline 'that we have delivered this project on time and in budget' considering the information I've highlighted again here

and after having supplied this information in writing to the GM, Directors and Aldermen on several occasions.

Point of order by Alderman King

[King] The question in relation to miscommunication has been answered previously and the response is provided within the agenda.

Q3. Do you realise the links between this kind of action by a Council (arguable miscommunication) and the distrust of Government in general within a local community?

Q4. Are you aware of the term 'post truth politics'?

Point of order by Alderman Fraser on Question 4.

[Fraser] Council officers should not have to respond to a potentially politically charged question and I don't think it is relevant to the Council.

[Mayor] **Point of orders by Aldermen King and Fraser are upheld**

A: Questions 1 and 3 will be taken on notice

Question without notice - Aldermen Carlton

Q: Can you please provide an update on what actions Council plans to take in relation to comments made on our Facebook page given the High Court's decision on social media?

A: [Executive Officer] We are aware of the recent High Court decision in relation to Facebook. The actions we are taking, will be to turn off comments on some posts where we think it will be controversial or which may incite debate and offend principles which may open us up for libel.

We have and we will continue to moderate all of our FB comments, they will be hidden or deleted. The person will be notified if they have offended our FB terms and conditions and therefore the comment has been hidden or deleted.

Resolution:

KING/BULL

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

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

Council closed at 8.00pm.

CLOSED TO MEMBERS OF THE PUBLIC

The meeting resumed at 8.04pm.

16. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

BULL/RICHARDSON

That the minutes of the Council meeting (closed meeting) held on Monday, 30 August 2021 be confirmed.

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

17. APPLICATIONS FOR LEAVE OF ABSENCE

None.

GOVERNANCE

Community Goal: “Leading our Community”

18. AUDIT PANEL MINUTES

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

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

Resolution:

That the meeting be moved back into open Council.

RYAN/BULL

The motion was put.

FOR: Aldermen Bull, Ryan, Dunsby, King, Thomas, Richardson, Fraser, Carlton and Hickey

AGAINST:

The motion was CARRIED.

The Chair closed the meeting at 8.08pm.

Confirmed,

CHAIR