

**COUNCIL MEETING
AGENDA
TUESDAY, 28 JANUARY 2020**



GLENORCHY CITY COUNCIL

Hour: 6:00 pm

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 13 January 2020

Purpose: To discuss:

- General Manager's KPIs/PR process
- Tracks, Trails and Pathways Survey Results

Date: Monday, 20 January 2020

Purpose: To discuss:

- MPES Infringement Data Matching

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 23 December 2019 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Kaye Smith, Constance Avenue, Glenorchy

Q. Council says that the FOGO waste will be broken down by a natural process. What is this natural process?

A. The FOGO material will be composted in open windrows in accordance with Australian Standard (AS4454). Windrow composting works by piling organic matter in long rows. Using a precise formula and special turning equipment, the waste placed into windrows and transformed into compost over a period of 3-6 months.

Q. Council is saying that the survey sent out on FOGO received more than 1400 responses. Yet the document presented to Council some months ago said 1,339 responses. Which is correct?

A. 1,339 survey responses were received via the formal survey. One of the FAQ's on Council's website rounded this to 1,400 responses. This has since been amended.

- Q. Council is saying that when you know where this final product is being used, they will let the ratepayers know. Is the company receiving the FOGO waste already receiving garden and food waste from other sources, and, if so, why doesn't Council know where they are currently being used?**
- A.** Council's composting will be undertaken by Pure Living Soil which operates a facility at Interlaken, 8km from Oatlands. The facility produces compost that is used in the agricultural sector.

**Shane Alderton, 296 Main Road, Austins Ferry
(from 23 December 2019 Council Meeting)**

- Q. On page 27 of your agenda, regarding the FOGO contracts, it states:**
"The contract [for disposing and composting of organic material] is based on the organic waste generated from 20,000 dwellings. Any change to the exemption criteria which significantly reduced the number of dwellings serviced would impact on the volume of waste diverted."

In relation to that, if a significant number of ratepayers pay the FOGO fee but choose not to partake in the service by not putting their FOGO bins out, what impact will this have on the viability of the service, and will this impact on the amount of waste being generated?

- A.** Council's contracts for the collection and disposal of FOGO considers a range of scenarios including the total number of dwellings, number of exemptions, set out rates, and quantity of FOGO waste.

Council is not penalised for having a low set-out rate and under the above scenario there is no impact on the viability of the service.

Council will report to the community on the quantity of FOGO waste produced and diversion from landfill. These are important performance indicators to demonstrate our ongoing sustainability to the community.

- Q. On page 29 you refer to the contractual arrangements for kerbside collection, and state that if the number of dwellings was to decrease by 4,000 then this would increase the cost to Council under the contract by 20%. Once again, if significant number of ratepayers chose to pay the FOGO service fee but not put their bins out, what impact would this have on the viability of that contract.**

- A.** For the same reasons as were provided in the answer to the previous question, there would be no impact on the viability of that contract.

- Q. Would Council potentially offer ratepayers who can demonstrate that they do not need a 240L bin a smaller bin prior to the roll out in February, saving a considerable cost in swapping these bins over later?**

- A.** Council will be providing 140L bins to residents that currently opt for a small bin for their recycling services. If they choose, other residents will be able to call Council and change to a smaller sized bin after the roll-out.

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

Community Goal: “Making Lives Better”

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 external meetings the Mayor attended during the period Tuesday, 17 December 2019 to Monday, 20 January 2020.

Tuesday 17 December 2019

- Attended meeting with a business representative
- Attended a meeting with MONA
- Attended the Greater Hobart Mayors’ Forum
- Attended a meeting with Treasurer Peter Gutwein
- Hosted the Special Committees End of Year Gathering

Wednesday 18 December 2019

- Attended a farewell event for Sandra Fagan, Electorate Officer to Sue Hickey MP
- Attended the Citizen of the Year Selection Committee meeting
- Presented the 2019 Gifting Tree donations to Anglicare and Salvation Army with the Glenorchy City Lions Club
- Attended the Springfield Gardens Primary School Leavers Assembly
- Attended as guest speaker at the United Nations International Migrants Day Celebrations

Thursday 19 December 2019

- Attended the Windermere Primary School Grade Six Assembly
- Attended the Glenorchy Primary School Presentation Assembly
- Attended the Austins Ferry Primary School Final Grade 6 Assembly

Saturday 21 December 2019

- Officially opened the Creative Event at Bucaan Community House

Monday 23 December 2019

- Chaired a Council workshop
- Chaired the Council meeting

Monday 6 January 2020

- Attended a GASP Media Announcement
- Attended a meeting with a resident

Tuesday 7 January 2020

- Attended a meeting with RACT

Wednesday 8 January 2020

- Hosted an exhibition opening at the Moonah Arts Centre

Saturday 11 January 2020

- Attended the Claremont Summer Flower Show

Monday 13 January 2020

- Chaired a Council workshop
- Attended a FOGO Community Information Session

Tuesday 14 January 2020

- Attended the Work Centre Safety BBQ
- Attended a FOGO Community Information Session
- Attended a meeting with a resident
- Attended a dinner with the Claremont RSL Committee

Wednesday 15 January 2020

- Attended a meeting with Lord Mayor Anna Reynolds
- Attended a meeting of the LGAT Charitable Rates Steering Committee
- Attended a meeting with Mayor Dean Winter
- Attended an Economic Development Strategy Pop-Up Session at Northgate

Thursday 16 January 2020

- Attended an interview with ABC Breakfast regarding the Draft Economic Development Strategy

Friday 17 January 2020

- Attended and spoke at the opening Supported Affordable Accommodation Trust's new home
- Attended a McGregor First National Moonah's fundraising BBQ for Bushfire Appeal

Sunday 19 January 2020

- Participated in the monthly Clean Up Glenorchy Taskforce Activity

Monday 20 January 2020

- Chaired a Council Workshop
- Chaired the Glenorchy Planning Authority meeting

A significant number of other internal Council meetings and administrative duties were also undertaken.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

RECEIVE the announcements about the activities of the Mayor during the period from 17 December 2019 to 20 January 2020.

Attachments/Annexures

Nil

9. ELECTION RECOUNT - DECLARATION OF OFFICE

Author: Executive Officer (Bryn Hannan)
Qualified Person: General Manager (Tony McMullen)
ECM File Reference: Council Elections

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

- 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 acknowledge the declaration of office of Angela Ryan in the 2018 Glenorchy City Council Election recount, to fill the casual vacancy created by the resignation of Deputy Mayor Matt Stevenson.

Proposal in Detail:

Section 321(3) of *The Local Government Act 1993* requires:

A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting.

The Tasmanian Electoral Commission conducted a recount of the votes in the 2018 Glenorchy City Council elections on 20 January 2020, following the resignation of Alderman Matt Stevenson (which was effective from 1 January 2020).

At the conclusion of the recount, the Returning Officer issued the Certificate of Election by Recount on 20 January 2020 and declared Angela Ryan elected to fill the vacant office of Alderman to serve until the next ordinary election of the Council.

The Declaration of Office that is required by the *Local Government Act* has been completed by Alderman Angela Ryan.

Consultations:

Tasmanian Electoral Commission

Human Resource / Financial and Risk Management Implications:

Not applicable.

Community Consultation and Public Relations Implications:

Community consultation

Not applicable.

Public relations

Alderman Angela Ryan's election has been reported in various news outlets.

Recommendation:

That Council:

ACKNOWLEDGE that Angela Ryan has been elected to the position of Alderman of Glenorchy City Council and has completed the Declaration of Office required under section 321 of the *Local Government Act 1993*.

Attachments/Annexures

- 1 Letter from TEC, Certificate, Recount Numbers and Declaration of
 Office

10. ELECTION OF DEPUTY MAYOR

Author: Executive Officer (Bryn Hannan)
 Qualified Person: General Manager (Tony McMullen)
 ECM File Reference: Council Elections

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

- 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 elect a new Deputy Mayor following the resignation of Deputy Mayor Matt Stevenson.

Proposal in Detail:

As a result of the resignation of Alderman Matt Stevenson on 31 December 2019, the position of Deputy Mayor has become vacant.

The vacant position of Deputy Mayor is to be filled by an election by the Aldermen in accordance with Section 44(4) of the *Local Government Act 1993* and clauses 4 to 8 of the *Local Government (General) Regulations 2005*. A summary of the relevant steps in the process set out in the Regulations is provided below.

A Notice of Election for the office of Deputy Mayor was issued to Aldermen, together with a nomination form, on 20 January 2020. Nominations for the position of Deputy Mayor were sought during the statutory nominating period which ran from 9:00 am on Tuesday, 21 January 2020 to 12:00 noon on Friday, 24 January 2019.

Regulation 4(2) of the *Local Government (General) Regulations* precludes the General Manager from releasing the names or details of any Alderman who nominates until after the end of the nominating period.

If there is only one candidate for the office of Deputy Mayor, the General Manager will declare the nominee elected at the beginning of the 28 January 2020 Council meeting.

If there are 2 or more nominations, a ballot will be conducted at the Council meeting, in accordance with the procedure set out in the regulations 4 to 8.

A candidate may appoint a person who is not an Alderman as a scrutineer by written notification to the General Manager prior to the commencement of the ballot. The ballot will be a secret ballot.

Regulation 5(3) requires that the Aldermen present at the meeting are to appoint an Alderman who is not a candidate to preside at the meeting for the period of the ballot.

The names of all candidates will appear on the ballot paper in alphabetical order.

- each Alderman is to vote for one candidate by striking through the names of the other candidates for whom the Alderman does not intend to vote
- if there are more than 2 candidates and no candidate receives a simple majority, the candidate with the smallest number of votes is to be excluded
- if 2 candidates receive an equal number of votes and that number is the smallest, the first name drawn on a drawing of lots is to be excluded
- new ballot papers will be printed with the names of the remaining candidates in alphabetical order and the process will be repeated until one candidate has a simple majority
- if there are only 2 candidates left, or if only 2 candidates nominate, and each receives an equal number of votes, a new ballot is to be conducted. If that ballot still leads to an equal number of votes, the successful candidate will be the first name drawn on the drawing of lots.

The General Manager will then declare the successful candidate elected and ensure that the result of the ballot is recorded in the minutes.

Consultations:

Mayor
Tasmanian Electoral Commission

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

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
The election process for the Deputy Mayor is not conducted in accordance with the process under the Act and regulations, leading to the result being challenged and reputational damage to Council.	Moderate (31)	Rare (L1)	Low	Each step in the process is verified by at least two officers and any concerns from Aldermen or anyone else are addressed before proceeding. The process is conducted as openly as possible and each step is explained to the gallery.

Community Consultation and Public Relations Implications:Community consultation

The election of the deputy mayor is conducted in accordance with a statutory process. It is not subject to community consultation.

Public relations

Council will release a media statement announcing the result of the election and the new Deputy Mayor.

Recommendation:

No motion is required.

Attachments/Annexures

Nil.

ENVIRONMENT

Community Goal: “Valuing our Environment”

11. COMMUNITY DEVELOPMENT GRANTS UPDATE

Author: Manager Property, Environment and Waste (Alex Woodward)
Sport and Recreation Project Manager (Neal Ames)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Major Projects

Community Plan Reference:

We continue to be a safe, inclusive, active, healthy and vibrant community. Young people will be listened to, involved and included in decision making especially about recreation, entertainment and support services. Young people and their families will be encouraged to play an active part in their education and their community. Community facilities and services are important to us.

Strategic or Annual Plan Reference:

Making lives better

Objective 1.3 Facilitate and/or deliver services to our communities

Strategy 1.3.2 Identify and engage in partnerships that can more effectively deliver defined service levels to our communities

Reporting Brief:

To brief Council on the progress of the recreation and play projects for which Council has received Australian Government funding.

Proposal in Detail:

Council's commitment to the community is to provide affordable sport and recreation opportunities through the provision of high-quality infrastructure that will increase participation and enhance the physical activity undertaken by the community. Council's *City of Glenorchy Community Plan 2015-2040* seeks to "provide a safe city with quality open space and community and recreation facilities and services for all age groups".

Both the Australian Government and the Tasmanian Government have committed to providing grant funding to Council for a number of recreation and play projects. Funding commitments from the Australian Government are being managed by the Department of Infrastructure, Transport, Cities and Regional Development (**DITCRD**) through the Community Development Grant (**CDG**) program. Additional grants through the Levelling the Playing Field (**LTPF**) and Major Facility (**Majors**) grant programs have also been received from the Tasmanian Government, managed by the Department of Communities, Sport and Recreation (**DCSR**).

For the purpose of this report, the suite of grants and their respective projects for the recreation and play projects will be referred to as **the recreation and play portfolio**.

At the time of reporting, all grants have been formally approved, except for the North Chigwell grant which is still in consultation between Council and the DITCRD.

Both the North Chigwell and KGV projects are presented as detailed in the Request for Information (RFI) provided to the Department on 18 September 2019. As stated, these grants have not yet been formally approved in this structure by the DITCRD. The original commitment for this grant was for the North Chigwell oval only and involved a more comprehensive project scope. It was later amended to also include much needed investment into KGV, with more modest facilities at North Chigwell than were originally proposed.

Project portfolio governance

To effect efficient and economically responsible management of the projects, a Project Management Governance Structure has been developed. This structure involves a hierarchy of Council and community representatives who will provide selected and specialist project governance in accordance with their respective project roles and responsibilities.

While Council will continue to be responsible for major decisions, the Healthy Communities Advisory Committee will be engaged as the project champions for the recreation and play portfolio and will assist the project team in ensuring strong community engagement and that the projects deliver on the overall objectives.

Project portfolio status

- **Montrose and Giblins Playspace (CDG)**
 - \$3.4m project to upgrade play spaces at Montrose Bay Foreshore and Giblins Reserve. Play spaces will be regional level facilities constructed for all ages.
 - \$2.0m funding approved and agreement executed in December 2019.
 - Tendering for site master plans and detailed playspace designs underway.
 - Design phase will include extensive community consultation in the first half of 2020.
 - Target construction to commence in second half of 2020.
- **Eady St Amenity (CDG)**
 - \$1.1m project to construct a new amenities building.
 - \$1m in funding from CDG approved and \$80k from Major Facility grant program. Both funding agreements will be executed this month.
 - Tender for design of building through architectural services underway.
 - Design phase will include stakeholder input into design; including one on one meetings with resident sports clubs and an amenity building design workshop with Glenorchy sports clubs.

- Intent is to develop a standard amenity building design through this project that will then be used on other projects.
- **KGV (LTPF and proposed CDG)**
 - Project to upgrade facilities at KGV including amenities building, resurfacing of synthetic field, and sports lighting.
 - \$0.96m allocated to construct a new amenities building at KGV including \$0.5m approved from the LTPF (grant deed executed on 15 January 2020).
 - Master plan underway to identify future outcomes for the facility, prioritise works, and to identify management options.
 - Design phase to commence in 2020.
 - Target commencement of some works over the 2020/21 summer offseason.

North Chigwell (CDG)

- \$12.8m project to upgrade Nth Chigwell Reserve including new amenities building, lighting and sports field upgrade.
- Awaiting re-scoping approval for \$12.8m grant (proposed \$8.7m for North Chigwell and \$4.1m to KGV) from DITCRD.
- Once approved expecting to commence detailed planning in 2020.

Council has negotiated with Australian and State Governments funding agreement milestones that include timelines and financials which will guide Council in the delivery of these projects.

Consultations:

Director Infrastructure and Works

Manager Property, Environment and Waste

Australian Government Departmental Representative, Department Infrastructure, Transport, Cities and Regional Development

State Government Department of Community, Sport and Recreation

Football Federation Tasmania

Glenorchy Knights

Chair of Healthy Communities Advisory Committee

Goodwood Community Centre

Claremont Metro Football Club

Glenorchy Art and Sculpture Park (GASP)

Inclusive Play working group

Hobart City Council

Clarence City Council

Kingborough Council

Variety Tasmania

Human Resource / Financial and Risk Management Implications:Financial

This report is for information only, and there are no material financial implications as a result of its adoption. However, Council is in line to receive approximately \$18m in grant funding from State and Australian Governments for the recreation and play projects and will co-contribute approximately \$1.530m.

Assuming an average asset life of 40 years the depreciation alone for these assets will be in the order of \$488k per annum.

Prior to proceeding with construction of these recreation and play projects Council will ensure that management plans are in place that detail the leasing arrangements and respective responsibilities of Council and users.

The detailed design process will also focus on sustainable and low maintenance design to ensure that sport and recreation remain affordable.

Council will be presented with a more detailed financial analysis of the budget impacts of projects prior to committing to construction.

Human resources

Delivery of the projects will be performed by Council staff as part of their ordinary duties, with any additional staff resources required to be funded through the grants.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
Criticism or negative feedback from stakeholders and the general community. This may include design issues or general criticism on council activities in relation to the projects.	Minor (C2)	Unlikely (L2)	Low	Reasons for decisions and their benefits are adequately communicated to the public. A communications and engagement plan has been produced and engagement strategy been developed.
Council is unable to meet grant milestones or spend grant amount, leading to reputational damage and difficulties in obtaining similar grant funding in the future.	Moderate (C3)	Unlikely (L2)	Moderate	Council has developed a governance structure to manage each project. Council has developed effective relationships with funding bodies and is providing regular updates.
Rescope of North Chigwell project to allocate funds to KGV not approved	Major (C4)	Unlikely (L2)	Moderate	Develop independent feasibility study, business plan and site master plan for North Chigwell to mitigate negative impacts.
The new infrastructure results in high ongoing maintenance and operation costs to Council	Moderate (C3)	Likely (L4)	Notable	Management and operational plans will be finalised and detailed financial impact will be provided to Council as part of final approval to proceed with works.

Community Consultation and Public Relations Implications:

Community consultation

A preliminary round of stakeholder consultation took place in September to December 2019, specific to each project. In the case of the sport projects, consultation with sport club representatives was undertaken to confirm project scope.

A Communication and Engagement Plan has been produced which identifies all stakeholders, what their level of engagement should be and what form that engagement will take. In regard to the two playspace projects (Montrose and Giblyns), an extensive consultation phase will take place in the first few months of this year, along with the development of site master plans and detailed designs.

For the sport projects, detailed plans will be produced which will involve one-on-one meetings with sport clubs and a workshop of the majority of the Glenorchy sports clubs to gauge their needs for the specific projects.

Public relations

Close liaison between the project team and Council's Communications team has seen an article on the projects published in the Glenorchy Gazette in December 2019. A further Gazette article will be provided during January to inform the community of the upcoming playspace engagement phase and to encourage involvement.

Recommendation:

That Council:

RECEIVE and NOTE the report on the progress of the recreation and play projects for which Council has received Australian and State Government funding.

Attachments/Annexures

Nil.

12. PUBLIC TOILET STRATEGY

Author: Manager Property, Environment and Waste (Alex Woodward)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Public Toilet Strategy

Community Plan Reference:

Making Lives Better

Our ageing population, people with disabilities, and parents with young families will be able to easily access all public areas and have public facilities to support them.

Our lives will be enhanced by using good design to create safer, more welcoming public spaces. Community facilities and services are important to us; especially meeting places, parks and playgrounds.

Valuing Our Environment

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

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:

Making Lives Better

Objective 1.1 Know our communities and what they value

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

Valuing Our Environment

Objective 3.1 Create a liveable and desirable City

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

Leading our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the Community

Reporting Brief:

To report the results of Council's community consultation on the draft Public Toilet Strategy and present the final Public Toilet Strategy to Council for adoption.

Proposal in Detail:

In August 2019, Council staff carried out a public survey of community views on the City's public toilets. The survey results were presented to Council at its 28 October 2019 meeting.

Based on the survey results, along with assessments undertaken by Council staff, a draft Public Toilet Strategy was developed and released for community feedback in early November. Public submissions were sought through several channels, including Council's website and Facebook page, an advertisement in the Mercury, notices in all Council public toilet blocks, a display in the Council foyer and a slide on the front of house TV screen. Staff also met with Council's Access Committee, the Healthy Communities Advisory Committee and the Linkages network.

Feedback from special committees and Linkages network

Feedback from the above groups was positive overall. Key points raised were as follows:

- it would be useful to have approximate distances included on wayfinding signage
- proposed provision of an adult changing places toilet was viewed positively, but a concern about the narrow entrance to the current access toilet off the Northgate food court was raised
- the Access Committee felt that the national MLAK key system was best avoided for several reasons, including problems for those who don't have/lose/have difficulty handling the keys
- Linkages members representing the aged care and migrant communities said that many of their members of both genders would not use unisex toilets, and
- the development of a Community Toilet Scheme in Moonah was viewed positively, and the possibility raised that it could be expanded to other areas.

Feedback from community submissions

To engage with the community more widely, Council staff provided a brief submission form comprising four questions:

- do you support the draft Public Toilet Strategy overall?
- please tell us what you most like about the strategy.
- please tell us anything you don't like about the strategy.
- is there anything you think is missing from the strategy?

However, submissions were accepted in any format. Ten submissions were received from the public, eight of which used the form provided. It is largely considered that the small amount of responses demonstrates that the community is comfortable with the strategy. Officers will continue to engage with the community as part of the construction of the toilets and other processes including the open space strategy review.

A summary of the submissions received is below. Full copies of the comments received are provided in [Attachment 1 to this report](#).

a) Do you support the draft Public Toilet Strategy overall?

Out of eight respondents:

Yes (7 people)

No (1 person) (No public toilets in Lutana)

b) Please tell us what you most like about the strategy

Cleanliness, comfort (x2)

Toilet paper

Paper towels

More disability toilets (x2)

Remove existing, put new one in

Stop graffiti

Opportunity to have input

Improvements to existing toilets

Rationalisation where there are multiple blocks

Closing Claremont Hall

Unisex toilets

Promoting toilets

c) Please tell us anything you don't like about the strategy

Unisex toilets

Didn't know of survey till over

No toilets in Lutana

Semi-enclosed hand wash areas

d) Is there anything you think is missing from the strategy?

Showers

No plan for public toilet in Lutana in the short term (x2)

Sanitary bins for men

e) General comments

Suggest Claremont Hall toilets be bricked in and internal access provided to all for table storage.

Better facilities would increase usage of public spaces and community connection.

Discussion

Staff have considered the feedback received from meetings and submissions. Key issues raised are addressed below.

1. While the majority of the community was positive about unisex toilets in the August survey, there were some different views raised about these. Unisex toilets are more inclusive, good for caregivers of children of the opposite sex and can reduce queueing. However, concerns have been raised about safety, privacy and discomfort from both males and females.

Council aims to increase appeal, inclusiveness, safety, comfort and cost effectiveness of toilets. Design and layout significantly influence these characteristics, for instance by providing greater visibility, more efficient use of space and fewer opportunities for concealment. These design features can be integrated with a combination of unisex, male only and female only cubicles to provide well-balanced solutions.

Given the low level of concern raised throughout the consultation process, it is recommended that Council continues to provide unisex facilities. However, modern designs can be flexible enough to provide options to accommodate various needs.

2. Semi-enclosed hand-wash areas promote safety while providing some cover from the weather. Designers will continue to refine this balance.
3. The draft strategy flagged the intention to consider adding public toilets in Lutana in the second half of the strategy period. Officers have identified this area as having the potential for an additional facility to be assessed as part of the open space review. This may include improving access to nearby Gepp Parade toilets at Prince of Wales Bay or a new facility at the Lutana Woodlands. It is also noted that the southern area of Lutana is serviced by toilets on the Hobart side of New Town Rivulet.
4. As discussed in the draft strategy, there are advantages and disadvantages to MLAK keys. On balance, they may be essential for adult changing places toilet due to the extensive equipment provided but may not be appropriate for wheelchair accessible toilets more generally due to the disadvantages to users. It is recommended that MLAK keys should not be introduced for accessible toilets, except changing places toilets, if required.
5. Council staff are currently in discussions with Northgate management with the aim of jointly developing a changing places toilet. Access to the facility will be considered as part of these discussions.
6. Around 5% of male respondents in the August public survey told us they needed sanitary bins. These will be most effectively provided in unisex toilets.
7. Showers were identified as potentially missing from the strategy. One is currently planned for the central Glenorchy Changing Places toilet. It is planned that these will be considered during individual upgrades based on demand and budget e.g. Lower Tolosa Park Toilet replacement will consider showers as part of the Mountain Bike Park masterplan. This will also be evaluated in conjunction with the open space review.

Draft Public Toilet Strategy

A final Public Toilet Strategy has now been developed and is included in [Attachment 2](#) to this report.

The strategy identifies toilets that will be developed, closed, replaced or upgraded within five years. Other locations are identified where toilets may be added, rationalised or upgraded in the second half of the 10-year period. These are to be considered when the strategy is reviewed in three years.

A small number of facilities currently do not provide wheelchair accessible toilets. Some facilities provide accessible toilets, but these do not meet current standards, which have changed over time. The strategy will commit Council to including wheelchair accessible and ambulant toilets that meet current standards in all new and upgraded toilet blocks. As noted above, the strategy also identifies an intent to work with others to develop an adult changing places toilet. MLAK keys will not be introduced for standard accessible toilets.

Unisex parenting rooms will be provided where possible and options for unisex, female only and male only cubicles will be considered on a case-by-case basis. At least one unisex cubicle in each facility (where unisex cubicles are provided) will include a sanitary bin that can be used by males and females.

Better promotion of public toilets is a priority action identified in the strategy, including wayfinding signage from local thoroughfares and the cycleway (including distances), as well as clearly visible signage on buildings and signage at cubicle entrances including braille. All signage will use consistent and generally recognisable formats.

Signage will be installed in toilet blocks encouraging prosocial behaviour and reporting of incidents as well as 'last cleaned' signage. Frequency of cleaning of the Moonah and Benjafield toilets will be increased and a regular, more thorough clean will be required for all toilets when the cleaning contract is next reviewed.

Consultations:

Access Advisory Committee
Healthy Communities Advisory Committee
Linkages group
Works and Community teams

Human Resource / Financial and Risk Management Implications:Financial

The Strategy commits the Council to an estimated \$1.6 million for the upgrading and maintenance of public toilets over five years.

Human resources

There are no material human resources implications at this stage.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Some in the community concerned that their issues are not reflected by the report or did not have an opportunity to comment.	Minor (L2)	Unlikely (L2)	Low	This Strategy includes a requirement for review in three years after adoption. Further consultation will occur as part of the Open Space Plan review and as part of the planning and design process for individual toilets.
Do not adopt the recommendation Development and maintenance of the city's public toilets does not follow a cohesive overall plan.	Moderate (C3)	Likely (L4)	Notable	

Community Consultation and Public Relations Implications:Community consultation

Community consultation for this project is now complete, with details provided in the body of the report.

Public relations

The submissions received were generally very supportive of the draft strategy. A few amendments have been made to the draft, in view of the submissions discussed above.

Recommendation:

That Council:

ADOPT the Glenorchy City Council Public Toilet Strategy in the form of Attachment 2, for implementation from 1 July 2020.

Attachments/Annexures

- 1 Public submissions on draft Public Toilet Strategy



- 2 Proposed Public Toilet Strategy (revised draft)



13. SOUTHERN REGION COOPERATIVE WASTE MANAGEMENT ARRANGEMENTS

Author: Director Infrastructure and Works (Ted Ross)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Waste Management

Community Plan Reference:

Valuing Our Environment

We will value and enhance our natural environment.

Leading Our Community

We will be a progressive, positive, community with strong council leadership.

Strategic Reference:

Valuing Our Environment

Objective 3.1 Create a liveable and desirable City

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

Leading Our Community

Objective 4.3 Build strong relationships to deliver our communities' goals

Strategy 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes

Reporting Brief:

To recommend that Council participates in an arrangement for Southern Tasmanian Councils to work co-operatively on waste management and resource recovery issues and sign a Memorandum of Understanding to that effect.

Proposal in Detail:

Following the State Government's release of the Draft Waste Action Plan in June 2019, the general managers of the southern Tasmanian councils agreed that there would be benefits in developing collaborative arrangements on a formal basis to address the range of waste management related issues.

The Draft Waste Action Plan contains significant actions such as the introduction of a Waste Levy in 2021 and a Container Refund Scheme in 2022. The southern Tasmanian councils' general managers have expressed a desire for the region to prepare itself for the forthcoming changes and to develop an appropriate structure and arrangements.

The proposed cooperative arrangements are captured in a Memorandum of Understanding (**MoU**), which is included as Attachment 1.

It is proposed that Council authorises the General Manager to sign the MoU on behalf of Council to formalise the arrangements for the southern Tasmanian councils to work co-operatively on waste management and resource recovery issues and projects for the southern Tasmanian region.

Working collaboratively in the waste and resource recovery area through the arrangement proposed in the MoU will ensure the region has a strong, committed, and resourced arrangement when liaising with the State Government on the impact and outcomes of actions within the Draft Waste Action Plan.

The arrangement will also drive more coordinated procurement arrangements, promote the development of circular economy, and alignment of service standards and education across the region.

The arrangement will operate for an initial period of three (3) years. A steering committee will be established to oversee the operation of the agreement and will consist of an officer from each Council.

Councils regularly work collaboratively, however formalising the arrangement through the MoU, identifying goals to work towards and the provision of resources will lead to better and more focused progress for the entire region.

Regional waste groups have existed in Tasmania for some time. Council has previously been involved with, and has formally withdrawn from, the former Southern Waste Strategy Authority (SWSA) and Waste Strategy South (WSS), citing a lack of progress and action and not being content with the return on investment. Council has since focussed on the development of our own Waste Management Strategy while being an observer at meetings of WSS.

The proposed MoU provides an arrangement for all southern Councils to work cooperatively across 8 key areas:

1. manage regional waste streams in a coordinated manner
2. promoting circular economy
3. coordination of regional collection systems for efficiency and effectiveness through shared procurement
4. support efficient, sustainable end of collection facilities for processing waste streams
5. work towards greater commonality of service standards for ratepayers and customers
6. advocate to or partner with other regions, governments and industry
7. cooperate on marketing and education, and
8. to appropriately resource the arrangement.

Work and progress under the arrangement will help address the actions within Council's Waste Management Strategy and, in particular, the goal to collaborate with others regionally and nationally to improve effectiveness and sustainability.

A steering committee will be established to oversee the operation of the agreement. It is proposed to authorise the General Manager to nominate an employee of Council to be a member of the steering committee.

All parties to the MoU would agree to provide funding for a secretariat service to support the cooperative arrangements. Funding would be determined based on the proportion of total waste generated by each signatory.

The support services will provide for arrangement of steering committee meetings, preparation of agendas, minute taking, preparation of reports and policy initiatives, and liaising with government and industry.

The funding provided by each signatory may, in the future, be replaced by external funding sources, such as a state-wide waste levy.

Consultations:

LGAT

General Managers of Southern Tasmanian councils

Human Resource / Financial and Risk Management Implications:

Financial

It is expected that Council's required contribution will be in the order of \$15,000 per annum.

The establishment of the new body will also provide a vehicle for receipt of funds from the State Landfill Levy, when introduced.

Human resources

Council officers will be required to participate in meetings and report back to Council.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Low	Council will continue to make decisions that impact on our ongoing waste management arrangements. The Memorandum of Understanding is not legally binding and not intended to be an agreement enforceable in a Court of Law
Council is required to commit to initiatives developed by the steering committee.				
Do not adopt the recommendation	Moderate (C3)	Likely (L3)	Moderate	Continue to lobby government from outside of the steering committee
Council does not have a voice at the table in respect to the establishment of regional initiatives, leading to potential disadvantages for the Glenorchy Community and inefficiencies.				

Community Consultation and Public Relations Implications:

Community consultation

Council will continue to lobby both the State Government and from within the steering committee for strong engagement with the community in respect to the development of waste management initiatives.

Recommendation:

That Council:

AUTHORISE the General Manager to sign the Memorandum of Understanding (in the form of Attachment 1) providing for an arrangement for southern Tasmanian councils to work co-operatively on waste management and resource recovery issues and projects for the southern Tasmanian region.

Attachments/Annexures

- 1 Southern Council Memorandum of Understanding



GOVERNANCE

Community Goal: “Leading our Community”

14. GRAFFITI MANAGEMENT - UPDATE AND REVISED POLICY

Author: Director Infrastructure and Works (Ted Ross)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Council Policy

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

Building image and pride

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

Valuing our environment

We will value and enhance our natural and built environment

Strategic or Annual Plan Reference:

Making Lives Better

Objective 1.3 Facilitate and/or deliver services to our communities

Strategy 1.3.1 Directly deliver defined service levels to our communities

Action 1.3.1.01 Develop and implement a Customer Service Strategy

Valuing our Environment

Objective 3.1 Create a liveable and desirable City

Strategy 3.1.1 Revitalise our CBD areas through infrastructure improvements

Action 3.1.2.01 Develop and implement the Future Glenorchy Program

Leading our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the Community

Action 4.1.2.01 Implement the Asset Management Strategy

Reporting Brief:

To brief Council on current graffiti management practices and review, amend and present an updated Glenorchy City Council Graffiti Management policy.

Proposal in Detail:**Updated Graffiti Management policy**

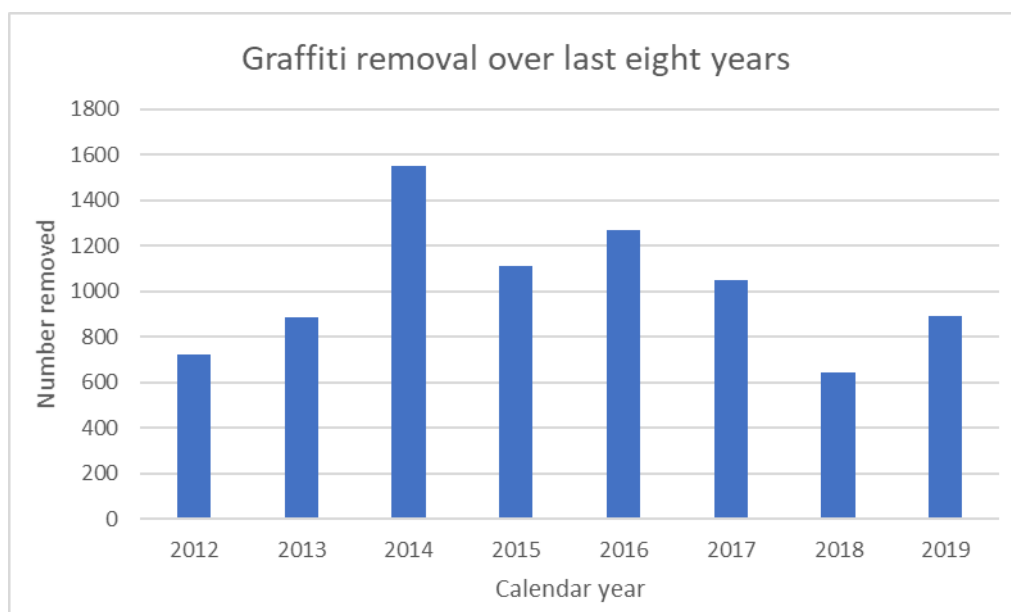
In 2010, Council employed a full-time Graffiti Officer to enable a timely and effective response (within defined service levels) to incidences of graffiti within the city. Council also implemented an accompanying policy, works program and service level.

Council's Graffiti Management policy was most recently adopted on 6 June 2016. As part of Council's ongoing process of ensuring that Council policies remain effective and up to date, the policy has been reviewed and is recommended for re-adoption. A copy of the proposed updated policy is Attachment 1. It contains only minor amendments which do not materially alter any of its operative provisions. However, the requirement to report to Council annually on the implementation of the plan has been removed. This is discussed further below.

Graffiti management update

The previous version of the Graffiti Management policy required that management reports were produced annually to Council on the implementation of the Graffiti Management Plan. Officers consider that the management of graffiti is co-ordinated in the same way as other mainstream activities, and that there is no need to continue to separately report on it or for it to have its own plan. This is reflected in the proposed updated version of the policy.

Council's Graffiti Officer currently operates to a pro-active program in relation to Council's assets, with a minimal number of reactive customer requests being received by Council's Customer Service area. Graffiti removal activity since 2012 is summarised below:



The above graph shows that in 2019, Council removed graffiti at 893 locations. A heat map (Attachment 2) is attached showing the distribution of graffiti. Graffiti is concentrated on the intercity cycleway corridor, CBD areas, and parks.

Council makes a GIS map available through our online mapping, which shows the location and pictures of graffiti within the city (<https://maps.gcc.tas.gov.au/>). This information is used by Tasmania Police to assist with identifying and prosecuting people who undertake illegal graffiti.

There has also been some graffiti removal undertaken by community groups, including the Claremont Rotary Club and the Department of Justice (Community Corrections) using clients who are required to provide an allocated number of hours for community service.

Consultations:

Operations and Maintenance Supervisor

Human Resource / Financial and Risk Management Implications:

Financial

Council currently has a budget allocation for graffiti removal encompassing staff, plant and materials. There are no material financial implications as a result of re-implementing this policy.

Human resources

There are no material human resources implications. Council's Graffiti Officer will continue to carry out duties in accordance with the policy.

Risk management

There are no material risk management implications.

Community Consultation and Public Relations Implications:

Community consultation

Community consultation was not required or undertaken in considering the updated policy.

Public relations

There are no material public relations implications.

Recommendation:

That Council:

ADOPT the revised Graffiti Management Policy in the form of Attachment 1.

Attachments/Annexures

- 1 Graffiti Management Policy - Updated



- 2 Graffiti Heat Map 2019



15. PROPOSAL TO DISPOSE OF PUBLIC LAND

Author: Acting Property Assets Coordinator (Alli Coombe)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Disposal of Public Land

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.

The communities of Glenorchy will be confident that the 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

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 brief Council on the results of the community consultation process around potential disposal of Council land, and recommend that Council, after considering all representations, resolve to dispose of land at the following locations:

- 3 Delwood Drive, Lutana
- 119 Pitcairn Street, Glenorchy (Known as Victor Place Reserve)
- 11-13 Nielson Drive, Montrose
- 11 Newman Court, Berriedale
- 36 Elwick Road, Glenorchy
- 53 Springfield Avenue, West Moonah
- 19a Clydesdale Avenue, Glenorchy

Proposal in Detail:

Under section 178 of the *Local Government Act 1993* (**the Act**), Council can sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with the process set out in that section.

This report recommends that Council considers all representations received and approves the disposal of the various Council properties in accordance with section 178 of the Act and Council's Disposal of Council Land Policy (**the Policy**).

The Land

The seven (7) properties identified for disposal are:

- 3 Delwood Drive, Lutana
- 119 Pitcairn Street, Glenorchy (known as Victor Place Reserve)
- 11-13 Nielson Drive, Montrose
- 11 Newman Court, Berriedale
- 36 Elwick Road, Glenorchy
- 53 Springfield Avenue, West Moonah
- 19a Clydesdale Avenue, Glenorchy

The properties are all zoned for residential uses (either 'General Residential' or 'Inner Residential') under the *Glenorchy Interim Planning Scheme 2015*. Council has not indicated any intention or plans to redevelop the identified sites.

These properties were identified as public land, no longer providing a benefit to the community. Each property underwent a fit-for-purpose assessment prior to exploring its potential disposal and was found to be unfit for its current or original proposed use. In addition, several of the properties were previously identified in Council's Open Space Strategy for potential disposal. This indicates that either the relevant property does not have the right physical characteristics to meet the purpose it was planned for or that there is adequate open space located nearby which provides a greater benefit for the community.

The properties at Delwood Drive, Pitcairn Street, Nielson Drive and Springfield Avenue (see Attachments 1-4) were recommended for possible disposal in the *Glenorchy Open Space Strategy 2015*. The reasons for those recommendations included that they had unsuitable physical characteristics as the respective properties were not well used and there was other beneficial public land close by.

Council acquired the property at 36 Elwick Road in 2012 (See Attachment 5), in planning for future upgrades proposed for the Elwick Road/Grove Road junction. Council has been working with the Department of State Growth on the recent upgrade of the Brooker Highway at Elwick Road. This has confirmed that the Grove Road junction improvements are no longer warranted. The property is therefore no longer needed to accommodate any future upgrades to this intersection and can be considered for sale.

The property at Newman Court did not pass the fit-for-purpose assessment to be retained for open space (see [Attachment 6](#)). While it was not specifically referred to in the Open Space Strategy, the land is of a size and shape that is not suited to its originally intended use as open space and is more suited to a residential development.

An assessment of 19a Clydesdale Avenue found it is providing no benefit to the community (see [Attachment 7](#)). Council maintains vegetation growth on the land several times each year. The only reason to retain ownership of this narrow parcel would be to access the underground stormwater assets. However, if Council was to dispose of this land, access would be maintained through the registration of an easement on the title restricting any buildings within that area and allowing the necessary access for maintenance of services.

Process under section 178 of the Act

Section 178 of the Act sets out the process that must be followed by a council which intend to dispose of public land. In addition, the Policy deems all land owned by Council to be 'public land' for the purposes of the Act.

Council has completed the public notification of its intent to sell public land and the public's right to object in accordance with the requirements of section 178. Following the completion of the notification, Council is now required to consider any objections received and decide whether or not to take any action regarding the objection.

Furthermore, under subsection 178(6), within seven days of making a decision regarding an objection, Council must write to the objector to notify them of Council's decision as to whether any action will be taken. This written notification must advise the person of the right to appeal against the Council decision under section 178A

A person's right to appeal a council decision regarding an objection

Under section 178A of the Act, a person who lodged an objection regarding Council's intention to sell public land (under section 178) may appeal to the Resource Management and Planning Appeal Tribunal (**RMPAT**) against the Council decision regarding the objection made under subsection 178(6).

Appeals must be made to RMPAT within 14 days after receiving written notification of the Council's decision and must be made in accordance with the *Resource Management and Planning Appeal Tribunal Act 1993*.

Furthermore, an appeal under section 178A may only be made on the ground that the decision of the Council is not in the public interest in that:

- the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or
- there is no similar facility available to the users of that facility.

Possible outcomes of RMPAT appeal

Under section 178B of the Act, upon hearing an appeal against a decision of a Council regarding a public objection to a Council's intent to dispose of public land, RMPAT may:

- confirm the Council's decision
- set aside the Council's decision
- set aside the Council's decision and
 - substitute it for another decision, or
 - remit the matter to the council for reconsideration.

Under subsection 178A(5), a decision of RMPAT on hearing an appeal is final.

Compliance with Council's Disposal of Public Land Policy

Council's Disposal of Land Policy requires that, following the completion of the statutory twenty-one (21) day advertising period, a report is to be presented to Council which is to contain the following information:

1. The current use and history of the Council Land

All seven parcels of land are zoned as General Residential under the *Glenorchy Interim Planning Scheme 2015*. All except for Elwick Road are currently vacant blocks. The recreation information in the table below comes from a review of the land by @Leisure consultants in 2014.

As noted above, the land serves no strategic purpose for Council and has been identified as 'no longer needed' and consequently recommended for disposal.

2. Details of the cultural heritage, environmental, recreation, landscape values of the Council Land.

Property	Heritage	Environmental	Recreation	Landscape
3 Delwood Drive, Lutana	No records	No records	Local Neighbourhood, informal play area	No scenic amenity code applies (GIPS 2015). Minimal views of the reserve from elsewhere.
119 Pitcairn Street, Glenorchy	No records	No records	Local Neighbourhood, large vacant block	No scenic amenity code applies (GIPS 2015). Minimal views of the reserve from elsewhere.
11-13 Nielson Drive, Montrose	No records	Biodiversity Code applies in GIPS 2015, however no records present	Described as a road reserve	Scenic Landscape Code applies in GIPS 2015
53 Springfield Avenue, West Moonah	No records	No records	Local Neighbourhood, vacant block	No scenic amenity code applies (GIPS 2015). Mix of exotic vegetation visible locally

Property	Heritage	Environmental	Recreation	Landscape
36 Elwick Road, Glenorchy	No records	No records, residential block	No value, residential property	No landscape or scenic values
11 Newman Court, Berriedale	No records	No records, residential block	Local Neighbourhood, vacant block	No scenic amenity code applies (GIPS 2015)
19a Clydesdale Avenue, Glenorchy	No records	No records, residential setting	No value, very narrow reserve	No scenic values

3. The results of the valuation of the Council Land (obtained under 4.2)

Valuations for all properties have been received. The results of the valuations can only be discussed in closed Council, on the basis that they contain *“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;”* (r. 15(2)(b) *Local Government (Meeting Procedures) Regulations 2015*).

4. Any statutory or legal considerations

All lots recommended for disposal are zoned either General Residential or Inner Residential and may be disposed of without being rezoned. All legal conveyancing will be undertaken in-house by Council’s legal services section.

5. The consultation process undertaken and consideration and response to every objection lodged

In the second half of 2019, Council undertook initial informal consultation with local communities affected by the potential disposals. The feedback was presented to Council at its open meeting on 30 September 2019. At that meeting, Council resolved to form an intention to dispose of those sites and to commence the community consultation process set out in section 178 of the Act, together with the additional requirements set out in the Policy.

Council’s intention to dispose of the land was advertised on two (2) occasions in the Mercury and a copy of the notice was displayed on each property boundary notifying the public that objection to the proposal could be made to the General Manager within 21 days of the date of the first publication.

In accordance with the Policy, a plan, along with relevant property information, was displayed on the community noticeboard in Council’s chambers (near the chambers’ rear public entrance). Owners of neighbouring and affected properties were also notified of the proposed disposal.

The number of objections and expressions of interest received in response to the public consultation are set out in the following table:

Property	No. of responses	Objections	Expressions of Interest	Other
3 Delwood Drive	3	1	2	0
119 Pitcairn Street	2	0	2	0
11 Nielson Drive	2	0	2	0
53 Springfield Avenue	3	0	3	0
36 Elwick Road	3	0	2	1
11 Newman Court	4	1	3	0
19a Clydesdale Avenue	3	0	3	0

Details of the objections received during the 21-day timeframe are provided in Attachment 8, and focus on existing use, traffic concerns, how Council acquired the land and suggestions on how it could be improved.

The following section sets out the grounds of objection and the officer responses to those grounds, with a conclusion in relation to the relevant property.

3 Delwood Drive – 1 objection received

Ground of objection

Property donated by developer of the subdivision and should be retained as open space.

Officer response

As part of the original subdivision, there was a requirement to contribute 5% of the land for public open space. This resulted in this parcel of land being provided to Council.

There is no regulatory process or Act that prevents Council from disposing of Public Open Space acquired through the subdivision process.

Ground of objection

Required for use as a playground

Officer response

The Public Open Space Strategy (POSS) 2015 recommended disposal as the land was not fit for open space purposes, specifically a playground due to the restrictions on the site.

Conclusion

Under s. 178A(3A) of the *Local Government Act 1993*:

an appeal may only be made on the ground that the decision of the council is not in the public interest in that –

(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or

(b) there is no similar facility available to the users of that facility.

It is considered that the objection received does not demonstrate that the community would suffer undue hardship due to the loss of access to, and the use of, the public land.

There are more suitable parks and reserves within walking distance of this block. These include Anear Court, Lutana Woodlands, and Gepp Parade.

The current parcel of land is rarely used for recreational activities and the previously named reserves provide better current and future opportunities for the public.

36 Elwick Road – 1 submission received

Issue raised

Support the disposal, suggestion to use funds from sale to assist with traffic management issues on the Grove Road/Elwick Road intersection.

Officer response

These are legitimate comments and will be considered if Council agrees to dispose.

Conclusion

Having regard to the appeal provisions set out above, the submission makes a suggestion as to how any sale proceeds might be spent, rather than being a formal objection to the disposal of the land.

As this is not a publicly accessible parcel of land, Section 178A (3)(a) & (b) would not be applicable.

11 Newman Court – 1 objection received

Issue raised

Utilised by local children. Removal of this will see Children playing in the street at an increased risk.

Officer response

The limited size and lack of facilities limits the use of this lot as a neighborhood park. A pedestrian crossing provides safe access to nearby open space at Windermere Primary School and the foreshore reserve.

Conclusion

Having regard to the appeal provisions set out above, it is considered that the objection received does not demonstrate that the community would suffer undue hardship due to the loss of access to, and the use of, the public land.

There are nearby open spaces for residents to access including the Claremont Recreation Ground and Foreshore.

A pedestrian crossing also provides safe access to nearby open space at Windermere Primary School.

6. The rationale for the recommended disposal, including details of any internal referrals

Council's Coordinator Planning Services, Senior Engineer, Manager of Community and Operations and Maintenance Supervisor were consulted with prior to the section 178 process commencing. Those consultations did not identify any issues with the disposal of the properties.

Notably, Council's Senior Engineer provided the following feedback regarding the potential disposal of 36 Elwick Road, which that confirmed that the property was no longer required for an upgrade to the intersection:

"...If we were to install a roundabout, it would be better being more closely aligned with Grayton Street which would require land from 38 Elwick Road, and possibly 1 and 2 Grayton Street and 1 Grove Road. The project is unlikely to get any Blackspot funding and the roundabout probably be fully funded by Council due to cost. Given the traffic light proposal is much more cost effective and we think would work, then the property can be sold."

7. The recommended method of sale

It is recommended that Council negotiates directly with prospective purchasers who expressed interest in purchasing the various properties during the consultation process. If no expressions of interest were received or negotiations are not productive, the properties would be placed on the open market through a locally based real estate agent.

8. The recommended sale price range

The recommended sale prices will be dependent on the results of the valuations for each property. These are required to be discussed in closed Council for the reasons identified in paragraph 3 (above).

9. Any encumbrances on the Council Land (easements, mortgages etc)

In respect of 19A Clydesdale Avenue, the Manager of Infrastructure, Engineering and Design has advised as follows:

"There is no drainage infrastructure within the land. However, the piped section of Barossa Creek is running through the land adjacent to it and would be good to have it vacant from an infrastructure maintenance/replacement perspective. As mentioned, I have no issue in regard to selling the land. However, the land is part of the overland flow path for Barossa Creek and therefore no above ground structures such as building, retaining wall etc., which may adversely impact on the OFP, would be allowed within the lot regardless the who the owner is."

*I recommend Council need to add a **Drainage Easement covering the entire land** onto the title prior to the sale to ensure this OFP would not be compromised in the future."*

None of the other properties contain any material encumbrances.

10. The estimated timeframe for the disposal

Depending on whether any appeals against the s. 178 outcome are lodged, Council would aim to complete the sales of the properties within 3 to 6 months after a decision by Council to dispose of them.

11. Any other relevant matters in the circumstances

There are no other material matters for consideration by Council.

12. The recommended course of action.

It is recommended that Council resolve to dispose of the properties, and commence the sale and negotiation process for each after the relevant appeal periods have lapsed or in the event of appeal, if a favourable appeal outcome is achieved.

Expressions of interest:

As part of the section 178 process, Council will consider any expressions of interest received from any interested purchasers.

Consultations:

Director Infrastructure and Works
Manager Infrastructure, Engineering and Design
Manager Community
Coordinator Planning Services
Senior Engineer
Operations and Maintenance Supervisor

Human Resource / Financial and Risk Management Implications:

Financial

The cost of disposal of the recommended properties will be approximately \$77,000, which includes valuation costs, infrastructure costs, agent fees and legal costs.

With the current expressions of interest received it is anticipated that there could be a saving on real estate fees amounting to approximately \$17,000.

Human resources

Council staff will facilitate the disposal processes as part of their normal duties.

Risk management

Risk Identification		Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Adverse public reaction of decision to advertise Council's intention of disposal	Moderate (C3)	Possible (L3)	Moderate	Council considers all objections received during the statutory consultation process, as required under s. 178 of the Act.
Council does not achieve best value for the community on disposal of the land.		Moderate (C3)	Possible (L3)	Moderate	An independent valuation will be obtained by Council and will be the minimum asking price for each property.
Do not adopt the recommendation	Council will delay the opportunity to potentially dispose of surplus land that serves no strategic purpose and may be able to be disposed of for money or land with greater strategic benefits.	Moderate (C3)	Likely (L4)	Notable	Council gives consideration to a strategy for realising land assets that are not required for strategic purposes. Council articulates any issues with the proposed disposal and instructs officers to address these in a future report.

Community Consultation and Public Relations Implications:Community consultation

Details of the community consultation already undertaken as part of the investigations into whether to dispose of these properties are contained in the body of this report. Further consultation will also be undertaken in accordance with the requirements of section 178 of the Act.

Public relations

There are no material public relations implications.

Recommendation:

That Council:

1. RECEIVE and NOTE the responses received during the respective processes conducted under section 178 of the *Local Government Act 1993* for the following properties ("the Public Land"):
 - **3 Delwood Drive Lutana** (Part of Certificate of Title Volume 64104 Folio 2)
 - **119 Pitcairn Street Glenorchy** (Certificate of Title Volume 43742 Folio 1)

- **11-13 Nielson Drive Montrose** (Part of Certificate of Title Volume 46375 Folio 101)
 - **53 Springfield Avenue West Moonah** (Certificate of Title Volume 113316 Folio 11)
 - **36 Elwick Road Glenorchy** (Certificate of Title Volume 220338 Folio 2)
 - **11 Newman Court Berridale** (Certificate of Title Volume 143454 Folio 3)
 - **19a Clydesdale Ave. Glenorchy** (Certificate of Title Volume 124973 Folio 3)
2. Having considered all the submissions and objections received APPROVE the Disposal of the Public Land by way of exchange, sale or lease, in whole or in part, and
 3. AUTHORISE the General Manager to take any actions necessary to give effect to the disposal of the Public Land.

Attachments/Annexures

- 1** 3 Delwood Drive, Lutana
[!\[\]\(9dc885fa0d6d341860a6e69645e59475_img.jpg\)](#)
- 2** 119 Pitcairn Street, Montrose
[!\[\]\(5d2b0686f24c91a69ec6f054f466d184_img.jpg\)](#)
- 3** 11-13 Nielson Drive, Montrose
[!\[\]\(ef97c4cf774c94401d40a852a635219b_img.jpg\)](#)
- 4** 53 Springfield Ave, West Moonah
[!\[\]\(f8ef7bbfeae36453ca014751196aefd5_img.jpg\)](#)
- 5** 36 Elwick Road, Glenorchy
[!\[\]\(c16c1d45ae17c42d924e54c1f9be81dd_img.jpg\)](#)
- 6** 11 Newman Court, Berriedale
[!\[\]\(95b5024aa73784eeb3bbb283901425f3_img.jpg\)](#)
- 7** 19A Clydesdale Ave, Glenorchy
[!\[\]\(a5b8b0c6037342750f3bb8e3ea46081a_img.jpg\)](#)
- 8** Objections Received
[!\[\]\(1160f55bf8bdd53aa462eb354f999cab_img.jpg\)](#)

16. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

Author: Manager Corporate Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Richardson)

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 procurements under Council's Code for Tenders and Contracts for the period 13 December 2019 to 14 January 2020 and provide updates on other relevant procurement matters.

Proposal in Detail:

Exemption Report

Council's Code for Tenders and Contracts (**the 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 13 December 2019 to 14 January 2020. There have been two (2) exemptions approved for the period, accounting for \$80,800 in budgeted operational expenditure. The exemptions are for continuation of existing software licences which were not notified in the period they were renewed. This was purely due to a procedural misinterpretation, which has now been clarified. The above amount was accounted for in Council's current 2019-20 budget.

Expenditure on External Legal Services

For the month of December 2019, the total amount spent on external legal services for all of Council was \$7,573. This expenditure was largely due to a planning appeal filed against a Glenorchy Planning Authority decision in the Resource Management and Planning Appeals Tribunal.

Consultations:

Executive Leadership Team
Accounts Payable Supervisor

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The report identifies the following budgeted operational expenditure that has been approved during the reporting period:

- \$80,800 in budgeted operational expenditure, and
- \$7,573 on external legal services.

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	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 to seek exemptions in accordance with approved processes, leading to business inefficiency and excessive administrative burden on staff and suppliers.	Moderate (C3)	Possible (L3)	Moderate	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.

Recommendation:

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 13 December 2019 to 14 January 2020.

Attachments/Annexures

- 1 Procurement Exemptions to 14 January 2020



17. FINANCIAL PERFORMANCE REPORT TO 31 DECEMBER 2019

Author: Manager Finance and ICT (Tina House)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Corporate and Financial 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:

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 |
| Action 4.1.1.01 | Monitor Council expenditure and drive efficiency across the organisation |
| Action 4.1.1.02 | Develop and monitor Council's Budget, Long Term Financial Plan, Annual Plan and Annual Report |

Reporting Brief:

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

Proposal in Detail:

The Financial Performance Report (**Report**) for the period 1 July 2019 to 31 December 2019 is Attachment 1.

The Report highlights that at 31 December 2019 Council's operating result is \$1.853m better than the budgeted position.

A summary of the key indicators is as follows:

Revenue

Revenue is \$404k or 0.8% above budget, representing an increase to last month's result of \$133k or 0.3% above budget.

A correction of rates budget timing from July 2019 to June 2020 of \$300k has contributed substantially to the increased revenue result. Further details of this are provided in the Explanatory Notes section of the attachment.

Expenditure

Expenditure is \$1.449m or 4.9% below budget, representing an increase to last month's result of \$986k or 4.1% below budget.

The favourable variance in employee costs has increased due to December leave being paid from the statutory provision. The favourable variance in materials and services has also widened slightly, without being directly attributable to any particular program.

Depreciation and amortisation expense has decreased by \$100k as a result of the recalculation of the Landfill Rehabilitation Provision. This has been recalculated in line with a revised audit recommended method.

Capital Works

Capital works expenditure is \$5.133m against an annual budget of \$14.009m.

The new year break has resulted in many businesses not submitting invoices for capital works performed in December. An analysis of capital works accounts paid in the first two weeks of January indicates that a substantially improved position is expected next month.

In addition, Council's Infrastructure Management Group is continuing to proactively monitor the capital works program, resulting in the reallocation of funds to other projects and the bringing forward of future works.

More detailed information on noteworthy revenue and expenditure variances can be found in the Explanatory Notes in [Attachment 1](#).

Consultations:

General Manager

Executive Leadership Team

Officers responsible for Capital and Operational Budget reporting

Human Resource / Financial and Risk Management Implications:

There are no material risk management or human resources implications.

Community Consultation and Public Relations Implications:

There are no material public relations implications. Community consultation was not required due to the regular and operational nature of this report.

Recommendation:

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 31 December 2019 in the form of [Attachment 1](#).

Attachments/Annexures

1 Attachment 1 - Financial Performance Report to 31 December 2019



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

18.1 QUESTION ON NOTICE - ALDERMAN S. FRASER (BUSHFIRE RISK MITIGATION)

Author: Coordinator Bushfire Management (Rob Whittle)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Question on Notice

Question on notice:

To consider a Question on Notice from Alderman Simon Fraser submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

QUESTION:

“The devastation caused by the recent bushfires in NSW and Victoria have brought back terrible memories of the 1967 Black Tuesday bushfires in southern Tasmania. Can the Council please reassure our residents by outlining what has been done to reduce the risk of a 1967 bushfire event happening again and what will be done differently in the future, in terms of bushfire risk mitigation, to account for changing climatic conditions?”

Answer:

Council acknowledges that both planned and unplanned fire is part of the natural landscape, and that it is not if, but when unplanned fire will impact Greater Hobart next.

Glenorchy City Council is currently developing a *Bushfire Mitigation Strategy* for Council managed bushland.

Reducing the risk to life and property is the overriding priority of this strategy. This strategy applies a risk-based planning approach based on risk management principles, and the Tasmanian Emergency Risk Assessment Guidelines (TERAG). This approach allows Council to manage bushfire risks efficiently, effectively and consistently by considering whether what it is currently doing to manage bushfire risks is adequate, and if and where Council might need to improve.

This approach is based on the principal that bushfire does not stop at cadastral boundaries and Council works closely with the Tasmanian Fire Service, Tasmanian Parks and Wildlife, City of Hobart and other landowners and service providers.

The strategy will identify Glenorchy City Council's statutory responsibilities around bushfire mitigation, sets overall objectives, outlines the practices, procedures and actions required to meet them.

Council has completed the initial draft of the strategy and commenced development of individual Bushfire Mitigation Plans.

Council has a dedicated Bushfire Mitigation Workgroup committed to resilience building, investing in training, and the recovery process post bushfire.

Council has a small but experienced bushfire mitigation team that has an annual works program that includes a significant amount of work:

- annual fire hazard program to reduce fuel loads and since December 2016 Council has treated 253ha with planned fuel reduction burns and commits to continue this program
- upgrade its fire trail network and maintain water points used during bushfire suppression and planned burning
- two dedicated bushfire mitigation vehicles used for planned burning and bushfire response, with increased capability planned in preparation for the 2020/2021 bushfire season
- played a vital role in a number of recent bushfires assisting with local knowledge, operational and logistical assistance. Most recently during the Glenlusk bushfire in January 2020 Council conducted hazardous tree assessments and removal during the event

Managing bushfire risk is also not without its challenges, an example is the need for Council to work with private landowners that own bushland that borders on many of our residential areas.

Once the *Bushfire Mitigation Strategy* is finalised it will provide Council with an opportunity to review our ongoing commitment to managing the risk to bushfire. While Council continues to invest in managing this risk it needs to do so as part of broader prioritisation of other services.

Council also takes into account bushfire hazard when assessing development. Bushfire hazard assessment and mitigation measures are an integral part of the planning and building processes. Examples of measures that might be required include suitable standard of access for fire fighting purposes, dedicated water storage for fire fighting, buffer zones around buildings and building design features.

Attachments/Annexures

Nil.

18.2 QUESTION ON NOTICE - ALDERMAN S. FRASER (CBD RECYCLING UNIT)

Author: Manager Property, Environment and Waste (Alex Woodward)
Qualified Person: Director Infrastructure and Works (Ted Ross)
ECM File Reference: Question on Notice

Question on notice:

To consider a Question on Notice from Alderman Simon Fraser submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

QUESTION:

“Hobart City’s recycling unit on the corner of Davey and Elizabeth Street currently accepts light globes and fluorescent tubes, small household batteries (AAs and AAAs), toner cartridges, mobile phones and accessories, DVDs and CDs, X-rays, cosmetic containers, toothpaste tubes and brushes, mail satchels, pens, and small electronics (such as remote controls) for recycling.

Facilities to recycle these items do not currently exist in Glenorchy City and most of these items are being sent to landfill.

In view of the Council’s increasingly sophisticated approach to waste management, can GCC install and operate a recycling unit in a central CBD location so that our residents can recycle items that can’t currently go into their household recycling bin?”

Answer:

Council will consider expanding our current recycling programs as part of the annual review of the Action Plan within the Waste Management Strategy.

The question gives officers an opportunity to promote our Recycling Coach App that gives our community information on how to recycle a range of products.

A number of items can already be dropped off at the Recycling Facility at Jackson Street landfill including batteries, fluorescent bulbs and tubes, aerosol cans and paint, a range of hazardous materials, and other general recyclables.

There are a broad range of retailers that also offer drop off facilities for toner cartridges, soft plastics, mobile phones, electrical items, x-rays and other products.

Attachments/Annexures

Nil

CLOSED TO MEMBERS OF THE PUBLIC

19. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council Meeting(Closed Meeting) held on 23 December 2019 be confirmed.

20. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal: “Leading our Community”

21. SELECTION OF AUDIT PANEL CHAIRPERSON

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(a) (Personnel matters, including complaints against an employee of the Council and industrial relations matters) and (2)(e) (The security of: the Council, Councillors and Council staff; or the property of the Council) and (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

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