

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 28 September 2020 at 6.00 p.m.**



NOTE: Due to social distancing restrictions around COVID-19 members of the public were not permitted to attend the meeting. The meeting was live-streamed on Council's Facebook page.

Present (in Chambers): Alderman Kristie Johnston (Mayor)

Present (by video link): Aldermen Bec Thomas (Deputy Mayor), Melissa Carlton, Jan Dunsby, Simon Fraser, Steven King, Gaye Richardson and Kelly Sims.

**In attendance
(in Chambers):** Bryn Hannan (Executive Officer)

**In attendance
(by video link):** Tony McMullen (General Manager), Jenny Richardson (Director Corporate Services), Sam Fox (Director Strategy and Development), David Ronaldson (Director Community and Customer Service), Ted Ross (Director Infrastructure and Works), Tracey Ehrlich (Manager Corporate Governance), Marina Campbell (Manager Community), Tina House (Manager Finance and ICT), Alex Woodward (Manager Property, Environment and Waste), Robbie Shafe (Manager Customer Service); Neal Ames (Project Manager – Sport and Recreation); Marian Maclachlan (Executive Assistant to the General Manager)

Leave of Absence:

Workshops held since last Council Meeting

Date: Monday, 7 September 2020

Purpose: To discuss:

- Code for Tenders and Contracts - update
- Australian Government Grants - update

Date: Monday, 14 September 2020

Purpose: To discuss:

- Greater Glenorchy Plan: Draft narratives
- Layout and configuration of Council Chambers
- GM KPIs

Date: Monday, 21 September 2020

Purpose: To discuss:

- Tolosa Masterplan update
- Towards 2040: A City of the Arts – Arts and Culture Strategy
- Future Gaming submission

The peak audience on Council's Facebook live-stream of the meeting was 28 viewers.

The Chair opened the meeting at 6:07 pm.

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

Aldermen Angela Ryan and Peter Bull

2. CONFIRMATION OF MINUTES

Resolution:

RICHARDSON/DUNSBY

That the minutes of the Council meeting (open meeting) held on Monday, 31 August 2020 be confirmed.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

Resolution:

THOMAS/RICHARDSON

That the agenda be reordered so that item 12 (Investigation into the disposal of public land – Mill Lane (car park)) is dealt within the closed section of the meeting due to the commercial-in-confidence nature of certain information provided by the proponent.

The motion was put.

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

AGAINST:

The motion was CARRIED.

For completeness, it is noted that the item was moved to closed Council to allow discussion of information under the following regulations:

- 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business)
- 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer

a commercial advantage on a competitor of the Council; or reveal a trade secret), and

- 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

This was additional information provided by the applicant in support of its application for an extension of the exclusive dealing period with Council.

3. ANNOUNCEMENTS BY THE CHAIR

The Chair congratulated Glenorchy Football Club on their successful year, especially in the Junior Association with special mention of the U17 Glenorchy Girls who qualified for the Grand Final and wished them all the best for the upcoming weekend, as well as the U15 Glenorchy Boys who won their Grand Final.

The Chair also congratulated Jaye Bowden, senior player for Glenorchy, who announced his retirement after playing 244 games and kicked 550 goals, acknowledging his significant contribution to the Glenorchy Football Club and wishing him all the best for the future.

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.

The General Manager declared an interest in Item 24 (General Manager's KPIs 2020/21).

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

6. PUBLIC QUESTION TIME (15 MINUTES)

The Chair noted that due to members of the public not being able to attend the meeting due to the COVID-19 pandemic, public questions were instead able to be submitted in writing.

The following questions were received prior to the meeting:

Questions on notice – Shane Alderton, Austins Ferry (received 28 September 2020)

Q1. Can council please explain when an Alderman declares a pecuniary interest in an item or motion why is the reason this Alderman is declaring an interest not made public at the meeting so ratepayers and citizens have a better understanding as to why an Alderman has declared an interest?

A: Alderman are only required to declare a pecuniary interest.

Q2. Is the reason an Alderman has declared a pecuniary interest documented anywhere that it can be easily obtained for public viewing so ratepayers and citizens have a better understanding as to why an Alderman has declared an interest?

A: The Register of pecuniary and non-pecuniary interest declarations by Aldermen, is available to the public on request. A member of the public can write and request an Alderman to provide further details on any pecuniary interest in which they would like further information on.

Aldermen are required to declare any pecuniary or non-pecuniary interest they may have, but they do also go above requirements by declaring any conflicts of interest.

Q3. Alderman Fraser has gone on public record stating he supports exploring council amalgamations if permitted can I ask Alderman Fraser a question thru public question time as to why he has not put a motion to council seeking discussion on this matter of exploring council amalgamations?

A: Alderman Fraser stated merger of councils needed to be directed by State government and the comments he made within the Mercury were his own personal views and he had not placed it on Council agenda for discussion.

Questions on notice – Janiece Bryan, Montrose (received 28 September 2020)

Q1. Does the Council and Government have a management plan to protect workers and the community from air-borne contaminants when the ground is disturbed at Wilkinson's Point? The plan must include quality control and on-going monitoring of the volatilisation and leaching etc.

The uncontrolled landfill and industrial site potentially contains contaminants which become air-borne. Just to mention a few, there is asbestos from

buildings dumped there and cancer-causing PAH's(Polycyclic Aromatic Hydrocarbons),PFAS's(Poly-FlouroalkylSubstances) and PCB's(Polychlorinated Biphenals). Deadly carcinogenic and flammable dust can travel long distances once becoming air-borne.

Q2. Is there a plan to protect the Derwent Estuary and surrounding environment from the contaminants?

Q3. As a matter of legislated responsibility, will tenderers be advised of the high level of contamination on this site? There will be important risks, liabilities and action required by construction companies to protect all construction workers on this site. There are serious risks to human health and the environment which the Council and the Government are required to manage once the land is disturbed.

A: As the site remains undisturbed at this stage, there is no current requirement for a plan to manage/protect the Derwent Estuary and surrounding environment from the contaminants. These contaminants are in place and do not pose an increased risk to the environment or health of humans in the area.

An environmental site assessment (Detailed Site Investigation) was completed for the site as part of a draft amendment to the Wilkinsons Point and Elwick Bay Specific Area Plan. Based on the findings of that Detailed Site Investigation, Wilkinsons Point is considered suitable for the current and proposed use, as the level of contamination does not present an unacceptable risk to human health or the environment, provided a Contamination Management Plan is developed and implemented to manage any future development earthworks.

The recommended remediation and/or management of the site contaminants would be quite specific to that site and may make up conditions of a Planning Permit.

7. PETITIONS/DEPUTATIONS

Council received a deputation from Meg Webb MLC, Independent Member for Nelson, who spoke on the issue of gambling and its social impacts on Tasmanians and repercussions on residents within Glenorchy City.

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:

THOMAS/KING

That Council:

RECEIVE the announcements about the activities of the Mayor during the period from Tuesday 25 August to Monday 21 September 2020.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

9. MONTROSE FORESHORE AND GIBLINS RESERVE FINAL PLAYSPACE DESIGNS

File Reference:

Reporting Brief:

To brief Council on the outcomes from the two community engagement phases for the new playspaces at Montrose Foreshore and Giblyns Reserve and present the final designs for the new playspaces to Council for endorsement.

Resolution:

DUNSBY/CARLTON

That Council:

1. RECEIVE and NOTE the Playspace Consultation Reports at Attachment 1 and 2 and Engagement Summary at Attachment 3
2. ENDORSE the final playspace plans for Montrose Foreshore Park as detailed in Attachment 4, and
3. ENDORSE the final playspace plans for Giblyns Reserve as detailed in Attachment 5.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

Alderman Dunsby left the meeting at 7:08 pm.

10. CUSTOMER SERVICE STRATEGY 2020-2025

File Reference:

Reporting Brief:

To present the final draft *Glenorchy City Council Customer Service Strategy 2020-2025* to Council following community consultation and recommend that Council adopts the strategy.

Resolution:

THOMAS/KING

That Council:

1. ADOPT the *Glenorchy City Council Customer Service Strategy 2020-2025* in the form of Attachment 1.

The motion was put.

FOR: Aldermen King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

Alderman Dunsby returned to the meeting at 7:15 pm.

11. SUBMISSIONS TO THE FUTURE OF GAMING IN TASMANIA AND THE FIFTH SOCIAL AND ECONOMIC IMPACT STUDY OF GAMBLING IN TASMANIA

File Reference: Gambling

Reporting Brief:

To brief Council on the *Future of Gaming in Tasmania* and the *Fifth Social and Economic Impact Study of Gambling in Tasmania* public consultation papers which are currently open for submissions and recommend that Council reaffirms its position on gambling (specifically electronic gaming machines).

Resolution:

THOMAS/SIMS

That Council:

1. AUTHORISE the General Manager to make submissions to the Future of Gaming in Tasmania and the Fifth Social and Economic Impact Study of Gambling in Tasmania based on the information and positions set out in the report.
2. ADOPT the Glenorchy City Council Statement of Commitment on Gambling in Attachment 1.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

ECONOMIC

Community Goal: “Open for Business”

The following item was considered in closed Council after a Council resolution to consider the item in closed Council earlier in the meeting. However the decision is published in open minutes, in accordance with the resolution in paragraph 5.

12. INVESTIGATION INTO THE DISPOSAL OF PUBLIC LAND - MILL LANE (CAR PARK)

File Reference: Disposal of Public Land

Reporting Brief:

For Council to consider the request from Marigold (Tas) Pty Ltd (**Marigold**) to extend its exclusive dealing to purchase the land.

To recommend Council allows the exclusive dealing with Marigold to expire on Wednesday, 30 September 2020.

To obtain Council’s endorsement to commence a new investigation into the disposal of the entire car park at Mill Lane in accordance with the workflow previously endorsed by Council.

Resolution:

KING/FRASER

That Council:

1. NOTE the request from Marigold Pty Ltd to extend the exclusive dealing period for a further 6 months until 31 March 2021, but decline that request
2. ENDORSE the commencement of investigations into the potential disposal and rezoning of Council owned land at Mill Lane, CT43661/1 and CT29803/5
3. AUTHORISE Council staff to undertake a community engagement process to identify any concerns about the potential disposal of the Land before commencing with the statutory processes for public land disposal and land rezoning, and

4. REQUIRE a further report to Council summarising the feedback received (and identifying any concerns) and seeking approval to proceed with the statutory processes for public land disposal and land rezoning for the Land.
5. MAKE available to the public the resolution in relation to the disposal of public land at Mill Lane (car park) for the consistent and transparent management of Council's disposal of public land activities.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal: “Leading our Community”

13. COUNCIL'S CODE FOR TENDERS AND CONTRACTS 2020 TO 2024

File Reference: Council Procurement

Reporting Brief:

To recommend that Council adopts of a revised Code for Tenders and Contracts in compliance with section 333B of the *Local Government Act 1993* to ensure consistent and transparent Council procurement activities.

Resolution:

THOMAS/CARLTON

That Council:

ADOPT the *Glenorchy City Council Code for Tenders and Contracts 2020 to 2024* in Attachment 1 to provide for the consistent and transparent management of Council's procurement activities.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

14. COUNCIL POLICY AND PROCEDURE FRAMEWORK

File Reference: Council Policies

Reporting Brief:

This report is to seek Council's adoption of a revised framework for the consistent management of Council policies, procedures and other similar documents.

Resolution:

DUNSBY/FRASER

That Council:

ADOPT the revised Policy and Procedure Framework in the form of Attachment 1, to provide for the consistent management of Council policies, procedures and other similar documents.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

15. NO SPRAY REGISTER POLICY

File Reference: No Spray Register

Reporting Brief:

To present a recommended 'No Spray Register' policy to Council for consideration, in response to a Notice of Motion at the August 2020 council meeting and consistent with the approach of other Greater Hobart metropolitan Councils.

Resolution:

DUNSBY/SIMS

That Council:

1. ADOPT the No Spray Register Policy ([Attachment 1](#)) (**Policy**)
2. NOTE that:
 - (a) internal procedures and systems will be developed to implement and administer the Policy, and
 - (b) Council will promote and commence an application process in time to begin the operation of the No spray register policy on or before 1 July 2021.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

16. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

File Reference: Child Care Connections

Reporting Brief:

To recommend that Council adopts four (4) updated Child Care Connections policies and procedures.

Resolution:

SIMS/THOMAS

That Council:

1. ADOPT the following revised Child Care Connections policies and procedures:
 - (a) Code of Conduct Policy ([Attachment 1](#))
 - (b) Dental Health Policy ([Attachment 2](#))
 - (c) Chemicals Policy ([Attachment 3](#)), and
 - (d) Sun Protection Policy ([Attachment 4](#))
2. NOTE that the changed policies will be appropriately communicated to all relevant parents and carers as required under regulation 172 of the Education and Care Services National Regulations.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

17. UPDATED COUNCIL POLICIES

File Reference: Council Policies

Reporting Brief:

To present 5 updated policies to Council for adoption.

Resolution:

FRASER/THOMAS

That Council:

1. ADOPT the updated Traffic Management Plans Policy in the form of Attachment 1
2. ADOPT the updated Roadside Directional Signs Policy in the form of Attachment 3
3. ADOPT the updated and renamed Aldermen Expenses Policy in the form of Attachment 5
4. ADOPT the updated and renamed Media and Communications Policy in the form of Attachment 7, and
5. ADOPT the updated Social Media Policy in the form of Attachment 9.

Alderman Dunsby foreshadowed a motion in the form recommended, but with the removal of clause 3 (with remaining clauses 4 and 5 renumbered as 3 and 4).

The original motion was put.

FOR: Aldermen Thomas, Johnston and Fraser

AGAINST: Aldermen Dunsby, King, Richardson, Carlton and Sims

The motion was LOST.

The foreshadowed motion was moved:

DUNSBY/KING

That Council:

1. ADOPT the updated Traffic Management Plans Policy in the form of Attachment 1

2. ADOPT the updated Roadside Directional Signs Policy in the form of Attachment 3
3. ADOPT the updated and renamed Media and Communications Policy in the form of Attachment 7, and
4. ADOPT the updated Social Media Policy in the form of Attachment 9.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

18. 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 14 August to 15 September 2020 and to provide updates on other relevant procurement matters.

Resolution:

THOMAS/RICHARDSON

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 14 August to 15 September 2020.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

19. FINANCIAL PERFORMANCE REPORT TO 31 AUGUST 2020

File Reference: Corporate and Financial Reporting

Reporting Brief:

To provide the monthly Financial Performance Report to Council for the period ending 31 August 2020.

Resolution:

RICHARDSON/FRASER

That Council:

RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 31 August 2020 in the form of Attachment 1.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

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

Question without notice – Alderman Fraser

- Q.** On a recent Council trip to Wellington Park to look at some flood infrastructure, I noticed that there was a huge amount of fire load in the forest up there (dead timber, logs etc). What possibility is there to allow wood cutters to enter that area to remove firewood to sell? It could be a win/win for all concerned.
- A.** (Director Infrastructure and Works) Wood hooking is the common term for taking wood out of Wellington Park. This is not a permitted use under the Wellington Park Management Plan. It's something that we could talk to the Trust about, but I would suggest there would be a number of issues to do with work health and safety or providing access etc. We will put the question to the Wellington Park Trust and report back.

KING/CARLTON

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 Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

The meeting closed to the public at 8.04pm

CLOSED TO MEMBERS OF THE PUBLIC

21. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

RICHARDSON/THOMAS

That the minutes of the Council meeting (closed meeting) held on Monday, 31 August 2020 be confirmed.

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser, Carlton and Sims

AGAINST:

The motion was CARRIED.

22. APPLICATIONS FOR LEAVE OF ABSENCE

None.

ECONOMIC

Community Goal: “Open for Business”

The following item appeared in the open agenda, but was considered in closed Council to permit discussion of commercial in-confidence information.

The resolution made in the closed part of the meeting has been published in the open part of these minutes.

12. INVESTIGATION INTO THE DISPOSAL OF PUBLIC LAND - MILL LANE (CAR PARK)

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

File Reference:

Disposal of Public Land

GOVERNANCE

Community Goal: “Leading our Community”

23. 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).

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

The General Manager and all staff left the meeting at 8.15 p.m.

24. GENERAL MANAGER'S KPIs 2020/21

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).

KING/CARLTON

That Council move back into open Council:

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Johnston, Richardson, Fraser,
Carlton and Sims

AGAINST:

The motion was CARRIED

The meeting closed at 8.24 pm

Confirmed,

CHAIR