

Minutes of the Meeting of the Glenorchy City Council held at the Council Chambers on Monday, 29 July 2019 at 6.00 p.m.



Present: Aldermen Matt Stevenson (Acting Mayor), Peter Bull, Melissa Carlton, Jan Dunsby, Simon Fraser, Steven King, Gaye Richardson and Bec Thomas.

In attendance: Tony McMullen (General Manager), Jenny Self (Director Corporate Services), David Ronaldson (Director Community and Strategy), Sam Fox (Director Development and Customer Service), Ted Ross (Director Infrastructure and Works), Bryn Hannan (Executive Officer), Alex Woodward (Acting Manager Property, Environment and Waste), Tina House (Manager Finance and ICT), Marina Campbell (Manager Community) and June King (Mayoral and Executive Support Officer).

**Workshops held since
last Council Meeting**

Date: Monday, 8 July 2019

Purpose: To discuss:

- Council Risk Appetite and Tolerance Statements

Date: Monday, 22 July 2019

Purpose: To discuss:

- GASP KPIs and Future Direction
- FOGO Update

Thirteen (13) members of the public attended the open part of the Council Meeting.

The meeting was opened with a prayer by Mr. Kazi Sabbir from the Muslim Community.

The Chair read the following two statements:

Statement 1:

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

Statement 2:

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

1. APOLOGIES

Mayor Kristie Johnston

Alderman Kelly Sims

2. CONFIRMATION OF MINUTES

Resolution:

THOMAS/BULL

That the minutes of the Council meeting (open meeting) held on Monday, 24 June 2019 be confirmed.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

None.

4. PECUNIARY INTEREST NOTIFICATION

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

Alderman Richardson declared an interest in items 14 and 17.

Alderman Carlton declared an interest in item 17.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Shane Alderton, Main Road, Austins Ferry

- Q. In Council's 2019/20 Annual Plan there is a figure around land sales revenue. It states in the document that the land sale revenue was \$1,090,000. Then it goes on to say that land sale expenditure was \$1,050,396, a net profit of \$36,604. Are those figures correct? If Council has had that land for some time, its value would have increased by over 50%. When you factor in the original cost and the real estate cost to value the land, it's a little bit unbelievable that you have only made 36 thousand dollars on the land?**
- A.** The land sales expenditure figure is not a cash realisation amount. It includes all book and actual costs associated with land sales, including administration (and staffing) costs, advertising, community engagement costs, planning, engineering, servicing, and, importantly, the write-off of land value. While the sale of land will generate revenue that will increase Council's bank balance, it will also reduce Council's total asset value leading to a negative adjustment on Council's balance sheet.

The net impact of land sales is expected to be close to zero.

James Bryan, 14 England Avenue, Montrose

Q. Has there been an allocation in this year's budget towards the \$10-11M promised towards the Hobart City Deal last year? Was any of that amount budgeted for in 2019/20 and if so how much or is it listed in the Budget documents?

A. The 11 million dollars that Council has committed towards the Hobart City Deal is projected over a 10-year plan for the City Deal.

The approximate cost of \$1M per year is spent across a series of budget line items and includes a range of maintenance activities and capital projects undertaken within or adjacent to the rail corridor.

One example of this is the ongoing maintenance of the intercity cycleway, which includes mowing, litter removal, and repairs and renewal of the concrete pathway. Another example is the allocation of funding to assist in the extension of shared pathways out from this central corridor.

Q. Council's 2018/2019 Annual Plan has a set out the whole of Council Budget estimates from page 18 to page 23, compared to 1 page in the current Annual Plan document. The missing information is essential to allow ratepayers to have a proper overview of the 2019/2020 Budget. Will that that information will be made available and, if so, in which document?

A. Due to changes in the way that Council produces its financial estimates, Council no longer produces a budget breakdown by Directorate as it has in previous years (and which appeared in last year's annual plan). A breakdown by Directorate is not an indicator against which Council measures its financial performance.

Accordingly, Council has no plans to make the information in the same format as appeared in last year's Annual Plan available, as producing such a document would take a significant amount of officer time.

Additionally, if Council were to produce such a report, it would be of limited utility, given that Council's Directorates have all changed since last year's reporting, meaning that a direct comparison with previous years is not possible.

The *Local Government Act 1993* requires a summary of the budget estimates to be provided in the Annual Plan. Council's Annual Plan complies with this requirement.

6. PUBLIC QUESTION TIME (15 MINUTES)

Shane Alderton, Main Road, Austins Ferry

- Q. As a follow-up to my question from last month regarding land sales revenue (the answer to which is provided in the agenda), will the same costs and principles be applied to the sale of Wilkinsons Point and the DEC? Once you factor in the write-off value and the asset value reduced from the balance sheet, will this then mean that the sale of the DEC and Wilkinsons Point will also result in a negative impact profit of close to zero?**
- A. The question was taken on notice.
- Q. Does Council have a provider for the collection of FOGO bins?**
- A. (Acting Mayor) As has been stated throughout the whole process, Council will go through a series of steps to implement the FOGO program. One of those will be to engage with other Councils, with the intention that we will jointly tender for a FOGO provider. The tender will be issued shortly.
- Q. Does Council have a provider for the processing of the FOGO waste?**
- A. (Acting Mayor) Not yet and that will also be decided through a tender process.
- Q. Will ratepayers be able to make an application to opt out of the FOGO service using council's opt out policy as is stated in your guidelines?**
- A. (Acting Mayor) This has been made quite clear. Council is in a process of developing an opt out criteria. We want to encourage ratepayers to ensure that they are managing their organic material on their own property and if they are doing that then we will develop some criteria that will allow them to opt out of the service. However, what we don't want to encourage is people opting out of the service but continuing to place organic material in their general waste bin. There is a balance we need to find and we will go through a process to developing that and will consult with the community about it in the coming months.
- Q. The leaflet that came with the Ratepayers Notice doesn't clearly state that. The interpretation states that you can apply to opt out now. Is this technically incorrect?**
- A. The question was taken on notice on the basis that the Acting Mayor did not have a copy of the leaflet that Mr. Alderton was referring to.
- Q. What does the \$35 FOGO fee on my rates notice cover?**
- A. (Acting Mayor) That fee is for the implementation of the service across the community, including the price of bins and their roll-out, 12 months supply of compostable bin liners and the cost of collection from February to June.

Whether you use the FOGO service or not, you will benefit from the decrease from the price pressure from the general waste. We know that the price of general waste is increasing. There is a conversation at a State level about waste levies and we know the price that Council has paid this year on the pick up of its general waste is increasing. We want to encourage people to take organic matter out of general waste. That will benefit all ratepayers by reducing the total cost of processing general waste. That is why the \$35 fee has been universally applied to all ratepayers.

Q. How do you determine that the charge is \$35 given that you don't have a service provider, you don't have a facility provider yet?

A. (Acting Mayor) There was an extensive period of analysis of the likely costs of the service and officers have determined their best budgetary estimate for what will be charged for that period of time. If the fee isn't sufficient to cover all the costs, Council can absorb any additional amounts through its budget, but we are satisfied that \$35 is an appropriate fee.

Q. Now that you've got my money when will I receive my FOGO bin caddy liners delivered to my address?

A. (Acting Mayor) The exact details I will take on notice but obviously prior to the rollout in February next year.

Q. Will the bin liners that are used in the caddy be replaced annually free of charge?

A. (Acting Mayor) My understanding is that we will provide bin liners at this point in time.

Carolyn McGrath, 7 Crossin Court, Chigwell

Q. At a recent council meeting a deputation read by Kay Smith and myself was presented to the Council about FOGO. The council chose to vote on the implementation without giving due consideration to that deputation. Why did the council decide to go ahead with that voting instead of postponing that voting to the next meeting without considering the full content of that deputation?

A. (Acting Mayor) Council was presented with a report that had quite extensive information that was based on community consultation. Aldermen had the opportunity to vote on the recommendation having considered your deputation at that point in time and chose to do that.

Q. On Council's FOGO website there are a list of considerations around what happens if I already compost my own food and garden waste? Things are brought up in there like it's difficult to compost egg shells, banana skins, teabags with staples. Is this going to be used to stop those who are doing the right thing and already composting from being able to opt out?

- A. (Acting Mayor) We will continue to work through the opt out criteria, but we want to do is encourage those who are significantly reducing the amount of their organic material going into to our general waste service to be able to opt out. As far as the exact specifics, I can't give you that answer because we haven't determined the exact criteria yet. But it's likely that those people who are significantly already reducing their organic matter will be able to opt out.
- Q. Considering that rural people can automatically be able to opt out of the service and don't have to pay the \$35 fee why do urban people who are unable to opt out of the service have to pay the fee? It seems at odds with me that if one doesn't have to pay the fee then why do another set of people have to pay the fee? That's discriminatory.**
- A. (Acting Mayor) I explained the service fee earlier this evening. However, Council made a decision that the rural section of our community could opt in to the FOGO service due to the high cost of delivery of the service to those areas and the fact that they have less need for the service. I'll take the question on notice to provide more information.
- Q. Under the code of conduct for Aldermen, when you make a decision in regard to something that's going to effect the whole community, you have to make those decisions with communication with the whole community with everyone that it effects. You haven't communicated with the whole community. You've communicated with a certain amount of people and haven't given everyone the option to do this. Why is this not against the Code of Conduct under the Local Government Act?**
- A. (Acting Mayor) I am completely comfortable that we have engaged in a consultation process that meets our obligations under both the Local Government Act and the Code of Conduct.
- Q. When Aldermen communicate with people on any issue whether it be verbal, email or Facebook, you are supposed to treat us with respect. We are finding that some are not actually following that rule themselves. What happens to that person if you see that they are treating people with disrespect. Do you mention to them the Code of Conduct that they are working under or do you just expect us to take the treatment?**
- A. (Acting Mayor) If an item is raised with us we can counsel Aldermen, but it's not necessarily the role of the Mayor or the Acting Mayor to direct any Alderman in any particular way. If you feel passionately enough that the Code of Conduct has been breached I would encourage to raise this with the Director of Local Government.

James Bryan, 14 England Avenue, Montrose

- Q. Back in March I asked for a list of Council's Service levels and asked if the service level of public toilets and playgrounds could be added to that list. In the agenda the following month it said that it was being looked at and that it was on the website. Where are they on the website?**

- A. (Acting Mayor) Someone will be in contact with you to let you know where they are on the website.

- Q. Last year I asked a question about the sale of a Council property at 404-408 Main Road. The answer noted that as part of the sale price, Council received a grant for the redevelopment of a community park and a further grant for the relocation of the existing tenancies on the site.**

Is the grant for the redevelopment of a community park the same grant as was promised by the Tasmanian Liberal Party to be used for public space enhancement in Glenorchy and Hobart with a Grant of \$500,000 each promised in the 2015 State election campaign (page 40 on the 25 June 2018 Council Agenda)? It appears to be a totally separate situation. If the grant for the skate park replacement was \$250,000, what was the grant for the redevelopment of the community park, what has happened to this grant? Are they separate grants and what has happened to that grant?

- A. (Acting Mayor) Yes they are separate grants. The \$500,000 originally was set aside for the redevelopment of the front of the Council and the playground, but was instead used as part of the CBD Revitalisation Project (which occurred with the approval of the Department). The funds granted as part of the sale of 404-408 Main Road for the relocation of the community park is an item being considered at today's council meeting.

- Q. In relation to the sale of 404-408 Main Road, there were 2 grants, one for the community park and a further grant for the relocation of the existing tenancies. What happened to the tenancies grant?**

- A. The question was taken on notice.

- Q. In the light of the High Court ruling earlier in the year, charitable organisations operating retirement facilities are exempt from paying rates. I would like some clarification regarding Glenorchy's situation. In the Annual Report 2017-18 there is a list of recipients with reduced rates. The total is \$576,000. There appear to be 3 facilities that fit the criteria for remission of rates: Lady Clarke \$30,000, Glenview \$60,000 and Strathaven \$48,000. Are the amounts listed for the 3 facilities in the Annual Report full exemptions or are they limited to the general rates amount set by Council. Do those organisations pay any of the service charges to Council?**

- A. The question was taken on notice.

- Q. Are there any other retirement facilities that receive rates remission in Glenorchy (e.g. Barossa Park Lodge and Eureka Claremont)?**

- A. The question was taken on notice.

- Q. Do any of the independent units receive waste and recycling services from the Council?**

- A. The question was taken on notice.

Q. As this decision has a significant financial impact on Council is there any intention to join with others to have this changed looking at the high court ruling.

A. The question was taken on notice.

Eddy Steenberg, Rosetta

Q. What progress has been made in negotiations between council and TasWater and MONA regarding the remediation of the Tolosa Park reservoir?

A. The question was taken on notice.

Q. What progress have Council planning staff made in processing the development application for the MONA Hotel and when might it be ready for public consultation?

B. The question was taken on notice. However, the Acting Mayor noted that all Aldermen are either member or proxies to the Glenorchy Planning Authority, and have a statutory obligation to remove themselves and assess each application on its planning merits. The Acting Mayor explained that in the interests of avoiding any perception of a conflict of interest, it was therefore preferable to seek a response from Council officers to this question.

Q. In order that residents can have realistic expectations, can Council provide a clear description of all services it provides outside normal working hours?

A. The question was taken on notice.

Janine Foley - Bethune Street, Chigwell

Ms. Foley submitted a series of written questions and background information. The questions (as submitted) are extracted below:

GCC – BETTER PRACTICE – Special Committees

Q1. Do GCC agree that the *Local Government (Meeting Procedures) Regulations 2015* (the Regulations) outline the best practice for meeting procedures?

Q2. Do GCC agree that the Local Government Division of the Department of Premier and Cabinet (Tasmania, Australia) encourage Local Government Councils in Tasmania, Australia, to adopt meeting procedures detailed in the Regulations to all meetings held by Councils including those of special committees?

Q3. Although not a legal requirement (application of better practice model for the conduct of all council meetings in Tasmania) would GCC agree that an organisations which:

(a) is aware of the existence of a better practice model

(b) is advised by relevant hierarchy to adopt the better practice model

- (c) has undergone a period of instability, public investigation, and was able to be represented as a sector brand damager
 - (d) seeks election upon and publically claims to be rebuilding a deficient, sub-optimal organisational structure in relation to better practice guidance and frameworks,
 - (e) knowing all this and still refuses to adopt better practice guidelines –
must expect to have a less than credible presence in the sector, the community and understands that its 'presence' may be condemned as a cynical, failed, wasted opportunity as the readoption of a discredited, humiliating, wasteful, inefficient, sub-optimal 2016 business as usual model is restored?
- Q4.** If 2018 GCC iteration disagrees with the above characterisation can it detail how 2018 – to date GCC differs from 2016 GCC in relation to the operation of this specific area of organisational practice? This raised serious issues around how members of the community can engage with GCC?
- Q5.** How does internal audit intend to deal with this issue? The Local Government (Meeting Procedure) Regulations in an area that should highlight to the community the way that 2018 GCC is exceeding its expectations around compliance, government and risk management. There would appear to be an incoherence with practice and stated outcome expressed in a range of GCC documents from the signed Statement of Expectations, Code of Conduct and a myriad of other policy and procedural documents that the community would have expected the 2018 council to be a leader and not an organisation that has to explain why it has again failed to adopt a recommended better practice mode of operation.
- Q6.** In the Quarterly Annual Plan Progress Report Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes. The codes from 4.1.3.01 to 4.1.3.04 rely utterly upon the GCC being a respected leader in this space. That is an early adopter of better practice so that it can speak with authority, clarity, credulity, experience and from a strong ethical lived (not described) position about matters of governance, compliance and appropriate risk management. In order to be taken seriously the functioning of an environment that is built upon and values and reflects operational practice based upon continuous improvement (adopting better practice as it develops) should not be underestimated. The relationship between regulatory compliance and better practice which is often a response to previous regulatory failure appears to be a surprisingly neglected area in the 2018 GCC operational environment. In light of previous failure, neglect, lazy ineptitude, lack of commitment and ignorance does GCC believe the failure to adopt better practice isolates it and leaves it open to questions around credibility, commitment and promises of the past won't be repeated?
- A.** The questions were taken on notice.

Herbicide use in Glenorchy LGA 2018-2019

- Q1. Can GCC confirm it is aware (reflected in current risk management practice) of the following APVMA (Australian Pesticides and Veterinary Medicines Authority) risk management manuals released in March – April 2019?**
- (a) APVMA risk assessment manual Chemistry and Manufacture MARCH 2019**
 - (b) APVMA risk assessment manual Residues and Trade MARCH 2019**
 - (c) APVMA risk assessment manual Environment APRIL 2019**
 - (d) APVMA risk assessment manual Human Health MARCH 2019**
- Q2. Can GCC confirm it conducted an application of ? (unidentified product/substance) on and around the Bethune Street Reserve, Chigwell, Tasmania, Australia on the 26 March 2019 (afternoon [GCC – 010] please confirm weather forecast – reported wind speeds and likelihood of ‘showers’)? The Reserve is situated next to the Child and Family Centre at 4 Bethune Street, Chigwell.**
- Q3. In relation to APVMA risk assessment manual Human Health how did GCC manage the potential public/bystander exposure? That is – what organisational mitigation management strategies (if any) were in place on that day to manage potential risk around exposure and adverse effects? Note this question exists in relation to members of the public, staff at the CFC Chigwell and staff applicators from GCC.**
- Q4. Can GCC confirm it is aware of the following APVMA reports released in 2018?**
- (a) Adverse Experience Reporting Program Annual Report of events occurring in 2014 October 2018 ISBN: 978-1-925767-14-8 (electronic)**
 - (b) Adverse Experience Reporting Program Annual Report of events occurring in 2015 October 2018 ISBN: 978-1-925767-18-6 (electronic)**
- Q5. Has GCC sought advice from the APVMA around the means and mechanisms regarding the reporting of a potential adverse experience?**
- Q6. Can GCC inform the public how (as an employer and supervisor of contractors) it protects the health and safety of its ‘workforce’? This would involve whole of life issues relating to product involved in the whole process from mixing to rinsate and disposal.**
- Q7. Can GCC confirm that it understands and reflects in practice the regulatory ‘obligations’ (stated and implied) placed upon the local government sector, in this instance in relation by the changing (2018-2019) regulatory landscape overseen in part by the APVMA?**
- A. The questions were taken on notice.**

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

Community Goal: “Making lives Better”

8. CLAREMONT COMMUNITY LIBRARY PROGRESS REPORT

File Reference: Claremont Community Library 2018/2019

Reporting Brief:

To brief Council on the status of the Claremont Community Library and to recommend continued support of the Library for another two years.

Resolution:

FRASER/RICHARDSON

That Council:

1. RECEIVE and NOTE the attached report on the Claremont Community Library
2. RESOLVE to continue to support the Claremont Community Library through the provision of the facility at the Claremont Memorial Hall and logistical support through the Community Department until July 2021, and
3. REVIEW the current arrangement for the Claremont Community Library program in two years (July 2021).

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

9. ANNUAL REPORT ON CUSTOMER COMPLAINTS - 2018/19 FINANCIAL YEAR

File Reference: Complaints

Reporting Brief:

To provide the annual report to Council on the number and nature of complaints received against Council for the 2018/19 financial year, as required under section 339F(5) of the *Local Government Act 1993*.

Resolution:

RICHARDSON/CARLTON

That Council:

RECEIVE and NOTE the 2018/2019 Annual Report on Customer Complaints.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

10. GLENORCHY ART AND SCULPTURE PARK (GASP)

File Reference: GASP

Reporting Brief:

To present the Glenorchy Art and Sculpture Park (GASP) Annual Report to Council as well as to brief Council on the Funding Deed between Glenorchy City Council and GASP which includes the agreed milestones/KPI's for 2019/20.

Resolution:

RICHARDSON/KING

That Council:

1. RECEIVE and NOTE the attached report on the GASP 2018 – 2019 Annual Report to Glenorchy City Council, and

2. ENDORSE the GASP Funding Deed July 2019 (including KPI's/Milestones) and authorise the General Manager to sign the deed on Council's behalf.

Alderman Fraser left the meeting at 6.51 p.m.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson and Carlton.

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal: "Leading our Community"

11. QUARTERLY REPORT

File Reference: Corporate Reporting

Reporting Brief:

To provide Council with the Quarterly Report for the quarter ending 30 June 2019.

Resolution:

BULL/KING

That Council:

RECEIVE and NOTE Council's Quarterly Report and the Quarterly Annual Plan Progress reports for the quarter ending 30 June 2019.

Alderman Fraser returned to the meeting at 6.53 p.m.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

12. PRIVACY POLICY

File Reference: Council Policy

Reporting Brief:

To present the proposed Privacy Policy to Council for adoption.

Resolution:

FRASER/BULL

That Council:

ADOPT the Privacy Policy in the form of Attachment 1.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

13. PROJECT MANAGEMENT POLICY

File Reference: Council Policy

Reporting Brief:

To present the proposed Project Management Policy to Council for adoption.

Resolution:

DUNSBY/KING

That Council:

ADOPT the proposed Project Management Policy in the form of Attachment 1.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

Alderman Richardson declared an interest in the following item and left the meeting at 7.03 p.m.

14. INVESTIGATION INTO THE DISPOSAL OF PUBLIC LAND

File Reference: Acquisition and Disposal (Property Management)

Reporting Brief:

To recommend that Council commences an investigation into the disposal of Council land at the following locations:

- 3 Delwood Drive, Lutana
- 119 Pitcairn Street, Glenorchy (known as Victor Place Reserve)
- 11 and 13 Nielson Drive, Montrose

- 53 Springfield Avenue, West Moonah
- 36 Elwick Road, Glenorchy
- 11 Newman Court, Berriedale, and
- 19a Clydesdale Avenue, Glenorchy.

This investigation will follow the 'Disposal of Council Land Flowchart' and will commence a community consultation process that is intended to precede the statutory requirements of section 178 of the *Local Government Act 1993*.

Resolution:

THOMAS/BULL

That Council:

1. AUTHORISE Council staff to undertake a community engagement process to identify any concerns in the community that warrant further consideration by Council before proceeding with the Section 178 of the *Local Government Act 1993 (the Act)* in respect to the following properties:
 - No. 3 Delwood Drive Lutana (Part of Certificate of Title Volume 64104 Folio 2)
 - No. 119 Pitcairn Street Glenorchy (Certificate of Title Volume 43742 Folio 1)
 - Nos. 11-13 Nielson Drive Montrose (Part of Certificate of Title Volume 46375 Folio 101)
 - No. 53 Springfield Avenue West Moonah (Certificate of Title Volume 113316 Folio 11)
 - No. 36 Elwick Road Glenorchy (Certificate of Title Volume 220338 Folio 2)
 - No. 11 Newman Court Berriedale (Certificate of Title Volume 143454 Folio 3)
 - No. 19a Clydesdale Ave. Glenorchy (Certificate of Title Volume 124973 Folio 3), and
2. REQUIRE a further report to Council raising the concerns and seeking authorisation to proceed with the section 178 process.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

Alderman King left the meeting at 7.15 p.m.

Alderman Richardson returned to the meeting at 7.16 p.m.

15. OWNER'S CONSENT FOR A MINOR AMENDMENT TO A PLANNING PERMIT AT MAIN ROAD, GLENORCHY (CBD REVITALISATION - PLN-17-280) & DELEGATION TO THE GENERAL MANAGER

File Reference: PLN-17-280

Reporting Brief:

To seek Council's consent, as the owner of land, to the making of a minor amendment to planning permit issued for the Glenorchy CBD Revitalisation Project, to allow for the reconfiguration of garden beds at the Tolosa Street/ Main Road junction, outside the St. Matthews Church frontage and an additional tree removal outside the Northgate Shopping Centre Main Road frontage.

Resolution:

DUNSBY/THOMAS

That Council:

1. CONSENT, as the owner of the land, to making an amended planning application by Council in relation to the Glenorchy CBD Revitalisation Project
2. AUTHORISE the General Manager to take any steps necessary given effect to Council's resolution in paragraph 1 (above), including by signing any required documentation, and
3. Authorise the General Manager pursuant to s.56(1) of the *Land Use Planning and Approvals Act 1993* to give owner's consent to requests to amend a planning permit, where these requests involve Council-owned land.

Alderman King returned to the meeting at 7.17 p.m.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

16. BUSHFIRE MITIGATION POLICY

File Reference: Bushfire Management

Reporting Brief:

To present an updated Bushfire Mitigation Policy to Council for adoption.

Resolution:

THOMAS/BULL

That Council:

ADOPT the revised Bushfire Mitigation Policy in the form of Attachment 1.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

Aldermen Carlton and Richardson declared an interest in the following item and left the meeting at 7.22 p.m.

17. GRANT FUNDING - GLENORCHY COMMUNITY PARK

File Reference: Skate Park

Reporting Brief:

To retract the Council decision made on 27 May 2019 to redistribute grant funds to the YMCA and recommend that Council endorse the commencement of community consultation for a skate pump track to be located at the Montrose Bay Foreshore.

Resolution:

DUNSBY/KING

That Council:

1. RESCIND its resolution of 27 May 2019 (item 17) to redistribute grant funds to the YMCA in accordance with regulation 18(1)(a) of the *Local Government (Meeting Procedures) Regulations 2015*, and
2. Endorse the commencement of a consultation process with relevant stakeholders to determine the best venue and facilities to support skating participants.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson and Fraser.

AGAINST:

The motion was CARRIED by absolute majority.

Aldermen Carlton and Richardson returned to the meeting at 7.39 p.m.

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

Question Taken on Notice – Ald Dunsby (24 June 2019)

Ald. Dunsby asked two questions in relation to Council's use of glyphosate-based herbicides. The first was answered at the 24 June Council meeting.

The second was taken on notice and is answered below.

Q. Is dye utilised to make it apparent where the glyphosate has been used?

A. No.

18.1. NOTICE OF MOTION - ALD DUNSBY - TRAFFIC ON ABBOTSFIELD ROAD, CLAREMONT

File Reference: Notice of Motion

Reporting Brief:

To consider a notice of motion by Alderman Jan Dunsby submitted in accordance with the requirements of Regulation 16(5) of the *Local Government (Meeting Procedures) Regulations 2015*.

Motion:

That Glenorchy City Council work with the Department of State Growth to mitigate the speed of traffic entering Abbotsfield Road, Claremont, from the Brooker Highway.

The following officer comments were tabled on the night.

Rationale:

At the Glenorchy Planning Authority meeting on Monday 15 July 2019, a total of 65 units in Abbotsfield Road, Claremont, received planning approval.

Traffic impact studies indicated the average movements of the collective households, per day, will be increased in the vicinity of 325. However, the studies have not taken into account the impact at the point where vehicles exit the Brooker Highway and enter Abbotsfield Road, often travelling in excess of the speed limit on Abbotsfield Road of 50 km/h.

Residents who live in the houses at this point experience difficulty with entry to and exit from their driveways due to the speed of the traffic and need to rely on both visual and audio observations of traffic movements to undertake these manoeuvres. There is also a high risk to pedestrians crossing the road in this vicinity.

Before the construction of these units commence, could consultation between the Traffic Engineers of the respective named organisations be held, and traffic mitigation strategies put in place.

Officers Response:

Officers recommend that they raise the issue of speed of vehicles entering Abbotsfield Road from Brooker Highway with the Department of State Growth to determine whether any action is necessary or desirable.

The section of Abbotsfield Road between Brooker Highway and Adelphi Road is a 'Collector Road', which is the second-highest category in the road network hierarchy. The purpose of Collector Roads is to move traffic from local streets to arterial roads (e.g. Brooker Highway in this case). Collector roads are expected to carry medium to large amounts of traffic on a daily basis.

The traffic count carried out by Council in 2017 in Abbotsfield Road between the Brooker Highway and Grafton Street (outside no. 66) and between Grafton Street and Adelphi Road (outside 80A), showed that the annual average daily traffic (AADT) was around 4,000 vehicle per day, with an average speed of 49km/h in a 50km/h zone. This result is in line with the function of a Collector Road and doesn't warrant any traffic calming measures according to Council's Traffic Calming Device Policy.

A unit development is proposed and recently approved at the old Abbotsfield Primary School and will use the existing access onto Abbotsfield Road between Grafton Street and Adelphi Road, just west of the Brooker Highway. Before approving the development, a Traffic Impact Assessment (TIA) was undertaken by a professional transport engineer to assess the impact of the increase in traffic on the road network, taking into account the current traffic and crash data. The TIA specified that the traffic generated by the development can be absorbed by the existing road network and does not have a significant impact on the road network. Council's Traffic Engineer concurs with this conclusion and believes the issue of vehicles exiting Brooker Highway onto Abbotsfield Road above the posted speed limit of 50km/h and residents finding it difficult to enter/exit their driveway should not be exacerbated by the development.

The development also proposes to utilise and extend the existing footpath network that will link the development site to the footpath alongside Brooker Highway and under the Brooker Highway. This provides a safe route for residents in the area to be able to access businesses on the eastern side of the Brooker Highway.

Despite the above, Council's traffic engineer recommends that the concerns about the speed of vehicles coming off the Brooker Highway onto Abbotsfield Road should be raised with the Department.

Resolution:

DUNSBY/KING

That Glenorchy City Council work with the Department of State Growth to mitigate the speed of traffic entering Abbotsfield Road, Claremont, from the Brooker Highway.

AMENDMENT

FRASER/CARLTON

That Council instruct officers to raise the issue of the speed of vehicles entering Abbotsfield Road from Brooker Highway with the Department of State Growth to determine whether any action is necessary or desirable.

The amendment was put.

FOR: Aldermen Bull, Thomas, Stevenson, Richardson, Fraser and Carlton.

AGAINST: Aldermen Dunsby and King.

The amendment was CARRIED.

The amended motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

Resolution:

KING/FRASER

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

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED by absolute majority.

The Acting Chair adjourned the meeting for a short break at 8.04 p.m.

The meeting resumed at 8.15 p.m.

CLOSED TO MEMBERS OF THE PUBLIC

19. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

THOMAS/BULL

That the minutes of the Council meeting (closed meeting) held on Monday, 24 June 2019 be confirmed.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

20. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

18. KGV SPORTS AND COMMUNITY PRECINCT - PROJECT UPDATE

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business) and (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)

DUNSBY/KING

That Council move to open Council.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED by absolute majority.

The meeting was closed at 9.28 p.m.

Confirmed,

CHAIR