

COUNCIL MEETING AGENDA MONDAY, 30 MARCH 2020



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

The General Manager certifies that, in accordance with section 65 of the *Local Government Act 1993*, any advice, information and recommendations contained in the reports related to this agenda have been prepared by persons who have the qualifications or experience necessary to give such advice, information and recommendations.

A handwritten signature in blue ink, appearing to read 'Tony McMullen'.

Tony McMullen
General Manager

25 March 2020

Version 1.2 – Re-published 27 March 2020

Hour: 6:00 pm

Present:

In attendance:

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 2 March 2020

Purpose: To discuss:

- General Manager's 2020 KPIs
- Event Management Policy and Tolosa Park Usage Policy

Date: Tuesday, 10 March 2020

Purpose: To discuss:

- GCC Mountain Bike Park Masterplan
- Bushfire Mitigation Strategy

Date: Monday, 16 March 2020

Purpose: To discuss:

- 2020/21 Council budget

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 24 February 2020 be confirmed.

That the minutes of the Special Council Meeting held on 28 February 2020 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

James Bryan – 14 England Avenue, Montrose (from 28 January 2020 Council meeting)

Q: Under the *Local Government Act* it is the responsibility of Aldermen to notify the Council in writing of any interests that they have declared at Council meetings and the responsibility of the General Manager to ensure that the interest is recorded in the minutes if the meeting and kept in a register. I've got a copy of the register of interests declared by the current Aldermen. I asked to view it and was offered it in an email. On a search of the minutes of Council meetings and extra or special Council Meetings, there appears to be 23 interest declarations by Aldermen. There are less than that on the register.

A: Officers have reviewed all of the declarations of interest contained in the minutes of Council and GPA meetings from the beginning of the term of the current Council. There are a number of instances where the minutes record that a declaration was made but a declaration form has not been filled out. However,

it is important to note that the *Local Government Act* requires only that a 'pecuniary interest' needs to be declared and the corresponding form completed. This does not apply to simply conflicts of interest (or matters that could be perceived as conflicts of interest), where, for example, the Aldermen may volunteer for an organization the subject of an item being considered but would gain no pecuniary (or financial) benefit from any decision. In the case of a conflict of interest, it is necessary for the Alderman concerned to remove themselves from the Council meeting for the debate on that item. It is not necessary for them to make a formal declaration and complete the required form.

It is highly likely that some of the declared interests in the pecuniary interests items on the agenda (as recorded in the meeting minutes) are simply conflicts of interest, in which case Aldermen are going beyond what is required to properly notify the public of that interest (provided they left the meeting, which they did in each case).

However, we are taking steps to ask the Aldermen concerned to go back and check the nature of the interests that have been declared and complete the required form if there is any doubt as to whether they are pecuniary.

While the declaration of pecuniary interest form is an important regulatory requirement, it should be noted that all interests declared appear in the minutes of the relevant meetings, which are publicly available, so any discrepancy is simply an administrative error.

**James Bryan – 14 England Avenue, Montrose
(from 24 February 2020 Council meeting)**

Q: During my search for Pecuniary interest declarations, I found that there were three Glenorchy Planning Authority meetings minutes which were not on the GCC website November and December 2018 and December 2019. To me this is an issue of accountability and when will they be made available?

A: This administrative error has been rectified and all Glenorchy Planning Authority minutes are now on the website. Please do not hesitate to contact Council directly with any such concerns in the future and we will rectify it as soon as possible.

Q. In the Glenorchy Planning Authority minutes on February 2017 concern was raised on page 11 by the Planning Authority on whether sufficient limitations were in place in the new standards on the Wilkinson Point SAP to control the use of land for large drive-thru bottle shops. What safeguards will be in place to prevent the Derwent Entertainment Centre becoming a new gaming facility and a hub for advertising this industry? Table for Precinct 'C' Derwent Entertainment Precinct at the February Planning Authority meeting it adds a discretionary use for 'Hotel Industry', when comparing this against the use permitted in Table for Precinct A – Sports and Entertainment precinct, it states permitted use is for 'Hotel Industry' but with the following exclusion 'not for the use of gaming machines'. Does this mean sports betting will be possible for these precincts?

- A: Glenorchy City Council is aware of, and greatly concerned about, the social and economic damage that the operation of poker machines causes to Glenorchy. In light of this, when the proposed amendment to the Planning Scheme for Wilkinsons Point was initially submitted, the Glenorchy Planning Authority specifically requested restrictions on gaming machines be included. The proponent altered the proposed planning scheme amendment to prohibit gaming machines at Wilkinsons Point, except for at the Derwent Entertainment Centre (DEC) itself, where they proposed they should be “discretionary”. This would mean they are not automatically allowed at the DEC, the Glenorchy Planning Authority would need to approve them being installed.

The Glenorchy Planning Authority also raised concerns about drive through bottleshops at Wilkinsons Point in their initial consideration of the proposed amendment. In response to this, the proponent altered the proposed planning scheme amendment to list a bottle shop as prohibited in all precincts except for Precinct B (Highway Precinct). In Precinct B, a bottle shop less than 500m² is permitted provided it does not include a drive-in section bottle shop. It is recognised that 500m² is a relatively small area even for a retail style bottle shop, as it covers back-of-house storage.

Sports betting involves predicting sports results and placing a wager on the outcome. It is primarily conducted online. As such, sports betting is possible across Tasmania from any mobile device. It is not possible to restrict the use of mobile devices for sports betting through the planning scheme.

Janiece Bryan – 14 England Avenue, Montrose
(submitted in writing at 24 February 2020 Council meeting)

- Q: Council please supply the amount of money spent on supporting Basketball at the Derwent Entertainment Centre including funds spent from the Capital Works Budgets?**

Please include the amount spent on:

- **Partnership agreement between the Glenorchy community and the Telstra Hobart Chargers negotiated by the Glenorchy City Council in 2016;**
- **New Curtaining System;**
- **New Court;**
- **Corporate Boxes Infrastructure**
- **Electronic Scoreboard for Basketball**
- **Any other improvement not identified such as:-upgrade to bar facilities, extensive upgrade to kitchen, new carpets and flooring, painting, electrical upgrades, new doors, new signage, roof repairs, external storage, consultants, advertising, travel, rebates on fees and charges, repairs to sea wall etc.**

- A. Council's records indicate that since 1989 approximately \$1.2m of work has been undertaken at the DEC including upgrades, renewal and new works. This work was completed to support a range of activities that occur at the facility and is not specific to basketball.

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 an update on the recent activities undertaken by the Mayor.

Proposal in Detail:

The following is a list of events and external meetings the Mayor attended during the period Tuesday, 21 January to Monday, 23 March 2020.

Tuesday 21 January 2020

- Attended meeting with the Editor and General Manager of The Mercury
- Attended the Greater Hobart Mayors’ Forum

Wednesday 22 January 2020

- Attended an interview with ABC Radio’s Drive program

Thursday 23 January 2020

- Attended a meeting with MONA representatives

Friday 24 January 2020

- Attended a media opportunity with the Lord Mayor regarding the Public Transport Challenge
- Hosted the Young Citizen and Citizen of the Year Announcement reception

Saturday 25 January 2020

- Attended an ABC Radio interview
- Attended the opening of the Gurkhas Footwear and Clothing Store
- Attended the Chinese New Year Celebration Dinner

Sunday 26 January 2020

- Officiated at Glenorchy's Australia Day Citizenship Ceremony
- Attended Mrs Gwenneth Brown's 100th Birthday Celebrations
- Attended the Citizen of the Year Group's Australia Day Dinner

Tuesday 28 January 2020

- Chaired the Council meeting

Wednesday 29 January 2020

- Attended an interview with ABC Radio Breakfast
- Attended a meeting with a business representative

Thursday 30 January 2020

- Attended a staff farewell reception
- Attended the Greater Glenorchy Group Meeting

Friday 31 January 2020

- Attended a Glenorchy RSL Sub-Branch reestablishment meeting

Saturday 1 February 2020

- Attended the Aldermanic Planning Day

Sunday 2 February 2020

- Attended the Glenorchy Community Fund Open Garden Fundraiser

Monday 3 February 2020

- Chaired a Council workshop

Tuesday 4 February 2020

- Attended the West Moonah Community House Eating with Friends Luncheon
- Attended a meeting with the Royal Agricultural Society of Tasmania

Wednesday 5 February 2020

- Attended the Launch of Neighbour Day at the Salvation Army

Thursday 6 February 2020

- Attended an interview with Hit 100.9 regarding the Public Transport Challenge
- Attended an interview with the Mercury regarding the Ministerial Directions
- Attended the Hobart Cup Reception at Government Houses

Friday 7 February 2020

- Attended a stakeholder engagement meeting with the Tasmanian Audit Office

Sunday 9 February 2020

- Attended the Hobart Cup

Tuesday 11 February 2020

- Presented the Indoor Bowls Trophies at the Glenorchy Golden Years Club
- Chaired a Council Workshop

Wednesday 12 February 2020

- Attended the launch of the Vulnerable Road Users Grant Round with Minister Ferguson
- Attended a meeting with a community representative

Thursday 13 February 2020

- Attended an interview with the Mercury regarding the Derwent Entertainment Centre

Saturday 15 February 2020

- Attended the BlazeAid Community Fundraiser at the Claremont Memorial Hall

Monday 17 February 2020

- Attended a meeting of the LGAT Charitable Rates Steering Committee
- Attended a meeting with GASP
- Attended a meeting with MONA
- Chaired a Council Workshop
- Chaired the Glenorchy Planning Authority meeting

Tuesday 18 February 2020

- Attended an interview with ABC Radio Mornings

Monday 24 February 2020

- Attended an ABC media event
- Chaired the General Manager's Performance Review Committee meeting
- Chaired the Council meeting

Thursday 27 February 2020

- Attended a meeting with the Lord Mayor and CEO of the Property Council of Australia
- Chaired the Safer Communities Advisory Committee meeting

Friday 28 February 2020

- Jointly hosted the Rail Transit Corridor Morning Tea
- Chaired the Special Council Meeting
- Attended a media event at the Derwent Entertainment Centre with the Premier and Larry Kestelman
- Attended an ABC Radio Drive interview

Saturday 29 February 2020

- Attended the LGAT Elected Members Training Weekend in Launceston

Sunday 1 March 2020

- Attended the LGAT Elected Members Training Weekend in Launceston

Monday 2 March 2020

- Chaired the Council Workshop

Tuesday 3 March 2020

- Attended a media event at the Moonah Arts Centre

Wednesday 4 March 2020

- Attended an interview with Hit 100.9
- Attended a Wellington Park Tour

Thursday 5 March 2020

- Attended the MyState Financial International Women's Day Breakfast
- Opened the 5th Birthday Celebrations and Glenorchy Open Exhibition at the Moonah Arts Centre

Friday 6 March 2020

- Guest Speaker at the Hobart Girls School Alliance International Women's Day Breakfast at Ogilvie High School
- Attended the LGAT International Women's Day Lunch
- Officially opened Parliament Moonah Co-working Space

Tuesday 10 March 2020

- Attended the Lord Mayor's Reception for the North Melbourne AFL Team
- Met with Incat
- Chaired a Council Workshop
- Attended the Royal Commonwealth Society's Government House Reception

Wednesday 11 March 2020

- Attended a meeting with Sue Hickey MP
- Attended a meeting with Mayor Dean Winter
- Attended an Inception meeting for the Rail Corridor Mode Analysis Study

Thursday 12 March 2020

- Attended Dominic College's International Women's Day Breakfast
- Attended the Estia Greek Festival Media Launch

Sunday 15 March 2020

- Attended the Claremont RSL Annual General Meeting

Monday 16 March 2020

- Chaired the Council Workshop
- Chaired the Glenorchy Planning Authority Meeting

Tuesday 17 March 2020

- Attended the Greater Hobart Mayor's Forum

Friday 20 March 2020

- Attended a Greater Hobart Mayor's meeting

Sunday 22 March 2020

- Attended an ABC Radio Weekend interview regarding Moonah Taste of the World

Monday 23 March 2020

- Attended a TasWater Owners Special General Meeting

A significant number of other internal Council meetings and administrative duties were also undertaken. Due to my mother passing away on 19 February 2020, a small number of community events were attended by the Deputy Mayor or another Alderman on my behalf. Please also note that due to the impact of COVID-19, many community events have been cancelled, meetings have been moved to virtual meetings where possible, and there has been a significant increase in internal meetings to coordinate Council's responses to this public health emergency.

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 period Tuesday, 21 January to Monday, 23 March 2020.

Attachments/Annexures

Nil.

9. COVID-19 INTERIM COMMUNITY ASSISTANCE PACKAGE

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Business Continuity COVID-19 2020

Community Plan Reference:

Leading our Community

We will be a progressive, positive community with strong Council leadership, striving to make our Community's Vision a reality.

Strategic or Annual Plan Reference:

Making Lives Better

Objective 1.3 Facilitate and/or deliver services to our communities.

Strategy 1.3.1 Deliver defined service levels to our communities.

Open for Business

Objective 2.1 Stimulate a positive economy.

Strategy 2.1.1 Foster an environment that encourages investment and jobs.

Strategy 2.1.2 Build relationships with government and the private sector that create job opportunities for our communities.

Leading our community

Objective 4.2 Prioritise resources to achieve our communities' goals.

Strategy 4.2.1 Deploy the Council's resources to deliver value.

Objective 4.3 Build 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 provide a briefing on Council's initial response to COVID-19 and to seek approval of an interim community assistance package to 30 June 2020.

Proposal in Detail:

Context

This report updates Council on COVID-19.

As the pandemic unfolds, governments are taking significant action to limit the spread of COVID-19 including social distancing and border closures. These necessary

measures are having significant adverse impacts upon the economy, including, in particular, the tourism and hospitality sectors and business relying on public assembly. These impacts are unevenly concentrated on particular sectors but have resulted in a significant loss of economic activity and consequent loss of or reduction in employment. Investment capital values have also declined.

During these challenging times, Council has a significant responsibility to:

- fulfil its emergency response role
- take action to safeguard the health and safety of its community and employees
- continue to provide, as far as possible, essential services to its community
- do what it can, in partnership with other governments, to alleviate the financial burden on its community, and
- position the Council for community and economic recovery.

The Mayors and General Managers of the four inner metropolitan councils – Glenorchy, Clarence, Hobart and Kingborough – met on 20 March 2020. At that meeting, it was agreed to take a co-ordinated package for interim community assistance to each council for consideration. The focus of this package is to provide interim assistance to communities up until the end of the current financial year, while further work is undertaken to develop additional assistance measures as part of the 2020/21 council budgets.

Council's emergency response role

The Premier declared a State of Emergency on 19 March 2020. The lead agency responding to COVID-19 in Tasmania – known as the Response Management Authority – is the Tasmanian Department of Health and Human Services (**DHHS**).

The City's responsibilities in responding to COVID-19 are in line with the *Emergency Management Act* and the Municipal Emergency Management Plan. Those responsibilities are to:

1. Distribute warnings and other relevant advice to the community, ensuring consistency of messaging with DHHS and Tasmania Police
2. Assist as requested and required by the State/Regional/ Emergency Operations Controller
3. Provide regular information/situation reports to the State/Regional Controller if requested
4. Provide liaison officers to the Emergency Operations Centre (EOC) as requested, and
5. Maintain essential services to the community, as detailed in business continuity plans.

Safeguarding health and safety

Council has established an internal COVID-19 incident management team which is meeting daily to implement actions in response to this rapidly developing incident with a priority on the implementation of Council's Business Continuity Plan, including communications to the community about Council's response and communications to staff.

The Director Corporate Services has been co-ordinating this team, in close co-operation with Council's Emergency Management Co-ordinator, the Director Community and Customer Services.

Council's Executive Leadership Team has also been meeting daily, along with the Mayor and Council's Senior Communications Adviser to make the required operational decisions, actively monitor progress of initiatives and to co-ordinate action.

Initiatives undertaken to date include:

- preparation of a Business Continuity Plan relating specifically to pandemic
- identification of core staff and services
- creation of a COVID-19 web page on Council's website
- daily General Manager's updates to all staff and Aldermen
- implementation of DHHS public health recommendations including provision of hand sanitiser stations throughout the organisation, a more rigorous cleaning regime for Council properties and social distancing measures for staff – working from home, video conferencing and splitting of critical teams to different work locations to promote service continuity (including customer service, ICT, finance and Works Centre)
- closure of Council places of assembly to the general public such as the Moonah Arts Centre and the Derwent Entertainment Centre (both now used to house relocated teams of Council officers), including associated event programming
- postponement or cancellation of community events such as Moonah Taste of the World, Citizenship ceremonies, ANZAC Day, the Volunteer Awards, Youth Week activities and the Community Yarns
- closure of the Council offices to general public access (effective 25 March 2020)
- closure of playgrounds
- closure of some public toilets, and
- creation of an additional 10 days pandemic leave for staff including casuals to anticipate school closures, social isolation and treatment for COVID-19.

Co-operation between Councils and Governments

In addition to the meeting of inner Metropolitan Councils, the Mayor and General Managers attended a teleconference convened by the Local Government Association of Tasmania (LGAT) on 24 March 2020 to discuss the financial response measures under consideration by Councils for the balance of the current financial year and into

2020/21. There was broad consensus for a consistent approach to rate relief and other measures to assist local communities doing it tough.

As a result of this teleconference, a draft resolution is proposed for the LGAT General meeting to be held on 27 March 2020, the latest version of which, at the time of writing, was as follows:

That LGAT Voting Representatives agree to take back the following relief mechanisms, to their Council for determination of a formal position on them as soon as practicable.

- 1. No penalties, charges, interest or debt collection for late rates payments and extended payment periods until 30 June 2020*
- 2. Rent relief on council owned buildings where tenants are experiencing financial hardship until 30 June 2020*
- 3. A common approach to hardship/assistance policies with LGAT to develop a model based on engagement with councils*
- 4. Community grants to be refocussed as appropriate to support local business recovery or conversion to digital environment or circular economy until 30 June 2021.*
- 5. A 0% increase on general rates for 2020-21 but with the ability to increase fees and charges but not at a rate which will exceed the benefits of a 0% increase to general rates.*
- 6. Seeking the option of relaxing depreciation requirements or extending standard asset life upon agreed criteria with the Auditor General (including asset condition) and subject to the Auditor General adjusting financial indicators accordingly.*

Most Councils in the 24 March teleconference spoke of the undesirability of artificially relaxing depreciation charges.

Council's proposal at the 24 March meeting was for zero bill increases in most instances. That is, for fees and charges to continue to reflect full cost recovery while rates would be decreased to ensure a net zero bill increase.

The Minister for Local Government's office has also separately contacted the Mayor and General Manager to investigate particular matters which might be required to be addressed in orders flowing from emergency legislation to be imminently introduced to Parliament. Foremost among these was the need for amendments to enable the holding of council meetings remotely, while taking account for the need for public transparency and involvement in such meetings.

As part of this report, it is proposed that the General Manager be given a precautionary delegation to determine planning permit applications and other matters that would ordinarily go to the Glenorchy Planning Authority (**GPA**). This delegation would only be exercised in the event that the GPA were not able to meet and would be time-limited to the duration of the COVID-19 pandemic.

Interim Community Support Package: Main Features

Financial pressures are already being felt in our community and will continue to escalate. It is critical that relief is directed where it is needed most. Specific areas where Council is involved through an interim Community Support Package (i.e. to the end of the 2019/20 financial year) include:

- rate relief
- fees and charges for use of Council facilities
- rents paid by tenants in Council premises
- loan guarantees for community organisations
- procurement / support to local businesses, and
- capital works

It is envisaged that a more comprehensive assistance package would be applied to the 2020/21 year, informed by ongoing work around sector-wide responses and government assistance levels.

Rate relief

With regard to 2019-20, it is proposed that the Council consider some interim support measures through until 30 June 2020.

The fourth instalment of rates fell due on 12 March and approximately \$2M in rates remains outstanding.

Rates staff have been instructed to stall any current action for rate recovery until Council formulates its position on rates relief.

The Council may wish to defer penalties and interest for ratepayers in financial difficulty. In terms of overall cost to the Council of this action, income foregone on rates penalties and interest and interest from cash in the bank is likely to be minimal given the stage in the billing cycle.

Council will continue to apply its Financial Hardship Policy with staff working to develop additional guidelines specific to the current COVID-19 situation in order to ensure criteria are relevant and applications are processed expeditiously. Some care will be required in the framing of these guidelines as application volumes are expected to increase significantly.

Council will set its rates for the 2020-21 financial year in the coming months. The draft 2020/21 budget is being put together now. This provides the opportunity for the impact of the Council's long-term financial sustainability to be modelled under various rate scenarios.

Fees and Charges for use of Council Facilities

The City is adopting a supportive approach for organisations and individuals that need to cancel events and is refunding fees and charges on cancellations.

Rents paid by tenants in Council premises

While most leases for Council owned properties are on a 'peppercorn' basis, the City does have some commercial tenants as well as community groups on reduced rents.

Council receives approximately \$800,000 per annum (\$66,666 per month) in rent from sports and community tenants each year, including outgoings. These range from community and sporting clubs to commercial tenants.

Of this, rent from the larger commercial tenancies amounts to approximately \$460,000 pa (\$38,333 per month), leaving grassroots community and sporting rental revenue of approximately \$340,000 (\$28,333 per month).

It is recommended that rental instalments for grassroots community and sporting clubs be waived for the rest of 2019/20.

Some of Council's commercial tenants, such as supermarkets and government-funded bodies are not expected to be adversely affected by COVID-19. Others may be. It is recommended that relaxation or deferral of commercial rentals be assessed upon application.

Procurement / support to local businesses

The City recognises the importance of supporting local businesses. Our Code of Tenders and Contracts provides for engagement of the local market through actively seeking quotes from local business and industry. A significant proportion of our contract spend already goes to local businesses. We will continue to actively pursue this approach.

Capital works

Council's approved capital works budget for 2019/20 is \$14M. In the short term, there is little scope to increase this between now and the end of the financial year given the lead times around project design and procurement.

Council is in the process of framing its 2020/21 budget including its capital works program. At present the draft budgeted quantum of capital works is approximately \$17M. Given the rapid unfolding of COVID-19, it is proposed to review Council's capital works spend to stimulate further economic activity. This includes local retail precinct upgrades, stormwater reticulation, road renewals, parks and bushland infrastructure and public toilet redevelopments. This is a significant economic stimulus for the local economy as we come out of the pandemic.

Our capacity to undertake more capital works may be limited by both internal resourcing and contractor availability. We could bring some capital works forward by accelerating the design and planning process but this would require additional staffing at a time when our operational budget will be under considerable pressure from lost income.

Further information is being sought on the State Government offer to provide \$50M interest free loans to local government in order to establish whether those funds could be used for any of these capital works projects.

It is understood that the local government sector would prefer this funding to be in the form of grants and able to be used to assist with provision of essential services.

Of course, we will continue to collaborate with the Australian and Tasmanian Governments and other councils on the list of 'funding ready' projects identified as part of the Australian Government's Stimulus Package.

Business Support

Council will be undertaking a number of steps in the immediate future to assess and assist businesses registered or operating in the Glenorchy area with their COVID-19 response.

- Information has been sent to businesses registered with an email address in Glenorchy, directing people to State and Federal Government online COVID-19 response information
- A small business support team has been established to contact Glenorchy registered businesses by phone to check in and provide support
- A Product of Glenorchy (buy local) website and online business directory are under development.

Email to Glenorchy registered businesses

On 20 and 22 March, Council's Economic Development office emailed Glenorchy businesses who have an email address registered on the Australian Business Register. The email provided links to support available through Business Tasmania, the Australian Taxation Office, Tourism Tasmania, Digital Ready Tasmania and the Tasmanian Chamber of Commerce and Industry.

Small business support team outreach

Two staff members from the Derwent Entertainment Centre have been seconded to the Economic Development office to assist with business outreach. Of the 7975 GST active registered businesses, outreach will target those industry sectors facing the most immediate impacts from the COVID-19 crisis (Retail Trade, Accommodation and Food Services, Administrative and Support Services, and Arts and Recreation Services).

Businesses called will be provided with advice on where to find information from State and Federal agencies in terms of business, employer and mental health support. Participants will be also be asked to provide information on their current operations and contact details. This will assist both Council and State Government to target assistance and support programs for Glenorchy businesses, such as Digital Ready Tasmania support to assist with setting up for e-commerce or Uber-Eats (dependent on further shutdowns).

Product of Glenorchy (buy local) website and online directory

The Economic Development team is working to establish a Product of Glenorchy brand and website to encourage residents to buy local and support Glenorchy businesses.

This includes:

- Glenorchy Business Directory, to promote local member businesses
- Member site with downloadable logo, style guide, storefront poster or membership 'badge'
- Information about business support (e.g. general Tasmanian and Federal Government business support)
- News and Networking Events
- COVID-19 support information (delivery via email, factsheets, webpage)
 - Tasmanian and Federal Government Stimulus Packages
 - Online recovery portal for business
 - Links to Digital Ready Tasmania and Business Tas advice

Consultations:

A meeting of Mayors and General Managers of Glenorchy, Hobart and Clarence City Councils and Kingborough Council was held on Friday 20 March 2020 to develop a co-ordinated approach to interim community support measures in response to COVID-19.

A further meeting was held by LGAT on 24 March 2020 which was attended by the Mayor and General Manager. A follow up general meeting is proposed for 27 March 2020.

Human Resource / Financial and Risk Management Implications:

Financial

COVID-19 is expected to have a range of impacts on Council finances, including:

- reduced revenue from rates, fees and charges and TasWater dividends
- increased expenditure (e.g. maintenance, staff leave, capital works) as part of a stimulus package
- potential future borrowings
- impacts on cash balance and potentially on financial sustainability

Given the uncertainties of the event, Council's Finance Department has been asked to model a range of assumptions.

Preliminary modelling based on that range of assumptions suggests an adverse impact on Council's operating result with an estimated deficit of around \$500,000 in 2019/20 and a deficit in the \$7M to \$9M range in 2020/21.

The modelling also suggests Council's cash position may reduce to about 2 months of coverage of operating costs. However, modelling suggests that Council would remain financial sustainable despite these significant shocks.

Human resources

As for the general community, this is a difficult time for Council staff – as normal work practices are challenged by social distancing and assembly requirements, along with uncertainty around the impact and timing of school closure and other care responsibilities. A number of staff are also immune compromised and must take extra care around their personal interactions.

Significant work has been undertaken to identify Council's essential functions and a brokerage process developed to reallocate staff capacity to prioritise those essential functions.

Council's enterprise agreement is due for renegotiation commencing April 2020. Management will be giving careful consideration to an appropriate response given the current circumstances, in consultation with our employees and unions.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Interim community support measures to 30/6/2020 adversely affect Council sustainability as a result of losses of revenue.	Moderate (C3)	Unlikely (L2)	Moderate	Work with the State Government to ensure Council's financial sustainability is underpinned. Work with the Tasmanian Audit Office to ensure Council's adverse financial performance measures in the future 2019-20 general purpose financial report is recognised as an appropriate response to the scale of challenges posed by COVID-19.
Do not adopt the recommendation Council fails to provide adequate interim community support in the face of the hardship caused by the necessary responses to COVID-19.	Major (C4)	Almost certain (L5)	High	Continue to apply existing systems and processes to assist affected members of the community and businesses. Develop an amended assistance package for reconsideration by Council.

Community Consultation and Public Relations Implications:Community consultation

Given the rapidity of the development of the COVID-19 incident, community consultation has not been undertaken.

Public relations

Council's communications unit will develop a communications strategy to ensure information on Council's interim community assistance package is effectively communicated to the affected stakeholders

Recommendation:

That Council:

1. NOTE the actions taken by Council's Management to date in responding to the COVID-19 emergency
2. ADOPT an interim community assistance package to assist community members, organisations and businesses adversely affected by COVID-19 to apply between now and 30 June 2020, as follows:
 - (i) Waive rental instalments for grassroots community and sporting clubs for the rest of 2019/20
 - (ii) Consider applications from commercial tenants adversely affected by COVID-19 for relaxation or deferral of instalments on a case by case basis
 - (iii) Defer application of penalties and interest on overdue rate payments
 - (iv) Develop and apply amended guidelines for the Financial Hardship Policy to ensure relevant and timely consideration of applications from those seeking relief as a result of the COVID-19 incident, and
 - (v) Action the business support package.
3. Pursuant to Section 6(3) of the *Land Use Planning and Approvals Act 1993*, DELEGATE to the General Manager the power to determine all applications that would otherwise be determined by the Glenorchy Planning Authority (GPA) for the period from 31 March to 27 April inclusive in the event that GPA meetings are not held
4. ADVOCATE for the State Government \$50M assistance package to local government to be provided as grants to assist with provision of essential services and for the delivery of 'funding ready' projects identified as part of the Australian Government Stimulus Package, and
5. DIRECT the General Manager to prepare a further report to the next ordinary Council meeting providing an update on the status of the emergency response and the development of further community support measures for the 2020/21 financial year to respond to COVID-19.

Attachments/Annexures

Nil.

ENVIRONMENT

Community Goal: “Valuing our Environment”

10. GLENORCHY SKATE PARK

Author: Acting Property Assets Coordinator (Alli Coombe)

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: Skate Park

Community Plan Reference:

Making lives better

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 present the outcomes of a community engagement process on skating within Glenorchy City Council area and provide a recommendation as to where Council can spend a \$250,000 grant provided by Department of Health and Human Services.

Proposal in Detail:

In 2015, Council received a grant of \$250,000 from the Department of Health and Human Services (**DHHS**) for a replacement skate facility. The funds were provided following the removal of the Glenorchy skate park from the site where the Glenorchy Integrated Care Centre is now located.

At the July 2019 Council meeting, Council endorsed a motion to commence a new consultation process with relevant stakeholders to determine the best venue and facilities to support skating participants in our municipality.

Council subsequently engaged Enlocus landscape architects and skatepark designers to assist with holding public workshops, designing a community survey and to meet with the skate community to inform the concept design for a new skate park at the preferred location.

The shortlisting of those sites (detailed below) was not an attempt to rule out other sites in the municipality that would be suitable for skate features. To this end, the community engagement process was open to other suggestions from the community.

The three suitable sites that were shortlisted and presented at workshops and within the survey included:

- Tolosa Park
- Abbotsfield Park, and
- Montrose Bay Community Park.

How did we consult?

Community engagement began with a community survey ([Attachment 1](#)) which included questions to help Council gather information about the demographics of skaters and other respondents. The survey was shared on Council's Facebook page and website, as well as through signage in the three parks.

The survey specifically asked participants to select a preferred location out of the three sites and to rank their preference for features and facilities they would like in the skate park. There was also the opportunity to provide suggestions for alternative sites.

The survey was accompanied by a 'Frequently Asked Questions' sheet ([Attachment 2](#)) to inform the community about how Council got to this point and to set realistic expectations about the type of facility that can be achieved with the \$250,000 grant.

During the consultation period, Council hosted Enlocus who facilitated three community workshops with young people from Cosgrove and Montrose Bay High Schools, and with the community and skate stakeholders who attended the Emergency Management Roadshow on the Council front lawns.

These sessions introduced the survey and worked with the different audiences to flesh out where and what they would like to see Council achieve with the funding available, but also the longer-term provision of skate features and parks within Glenorchy.

Council officers also had targeted engagement with special committees of Council and with previous stakeholders who have been involved with the development of a skate facility.

What did the community say?

Survey participants were predominantly under 20 years old, making up 44% of total responses ([Attachment 3](#)). There was also a strong response (36%) from participants who were 35+ years old. Later questions allowed us to deduce that this older bracket were mostly parents or current users of one of the three shortlisted sites. These older participants were largely in support of the project and of providing activities for younger people.

Most people who undertook the survey were residents within the Glenorchy City Council area (70%). This included 25% that lived in the suburb of Glenorchy, and 10% who lived in Claremont. Survey participants were likely to travel around 30 minutes to get to a skatepark, meaning a park strategically located (central, public transport opportunities, etc. - expanded below) within Glenorchy LGA would be well used by residents inside and outside the LGA boundary.

Driving to local skate facilities was the most common form of transport for respondents at 24%. However, this response may be biased with respect to the large proportion of older respondents. Driving was the most polarising option. Respondents would either 'always drive', or 'never drive' (50%), showing a clear divide between those with a licence/car and those without.

Walking/riding to the local facility was the most uniform of the responses with 53% of respondents saying they would either always, often or occasionally walk/ride to a facility. This compared to getting a lift (50%), bus (45.6%), and driving (43.8%). As such, the skate park's location should aim to be accessible by multiple modes of transport and encourage opportunity for self-directed travel (walking/riding/public transport).

For site selection, Montrose Bay was a clear favourite, being 49% of respondents' first choice. Montrose Bay was rated highly for its central location, relative ease of access, public transport connections, its proximity to the high school, and opportunity to utilise the existing landscape amenities and play spaces. This is supported by the technical data. However, there was concern by some participants regarding proximity to the highway, and the sites exposure to harsh bay winds.

Most active users were skateboarders at 26.5% and scooter riders at 15%. Most active users frequently used all local facilities/other informal riding areas (streets, backyards, public spaces). Overall, these participants wanted facilities that are suitable for all riding skill levels. Most respondents also requested a transition focused park, with particular mention of including a mini-bowl or mini-ramp.

In addition to the preferred selection of Montrose Bay, 19.1% of participants who selected 'other location' were interested in a skate park or street skate features largely within the CBD.

Technical site evaluation

Enlocus visited each of the three locations and undertook an evaluation of the existing facilities or, in the case of Montrose, the site's capabilities. Enlocus utilise a matrix tool that has been developed through professional experience and in accordance with Skateboarding Skatepark Facility Guide. The sites were assessed against the areas of scale, capability, technical criteria, access, context, amenities, safety, maintenance, impact and proximity. Out of the three sites, Montrose Bay was rated by Enlocus as the highest and therefore most suitable site from a technical perspective.

Enlocus reported that the proposed site is adjacent to Montrose Bay High School, which would allow promotion of active and social extra-curricular activity for students. There is good passive surveillance at the site, achieved through visual connections between the proposed site, the Brooker Highway and local sports clubs, playground and cycling path. This could be enhanced through lighting in the design stage. There are connections to the inter-city cycleway, making it accessible for users touring from Hobart CBD towards MONA. Public transport connections lie within 250m of site, connecting to central Glenorchy, nearby suburbs like Austin's Ferry and Moonah and to Hobart CBD.

Montrose Foreshore park has several barbeque facilities, public toilets, shade structures and sitting areas. The planned Montrose Bay playground upgrade would

be an ideal site to co-locate the skate park, provided the connection between the two sites is well planned.

A portion of the land tenure is Crown land, Council are already maintaining this area and should formalise a licence with the Crown.

While the site is exposed to the elements (which was also raised in the engagement), this can be addressed with appropriate design should Montrose be chosen as the location.

Montrose Bay concept feasibility

Following the results of the survey that Montrose received the highest ranking for the preferred location, Enlocus prepared a concept design for Montrose Bay (Attachment 4). There are two variations presented, one of which also demonstrates the capacity for Council to add onto the facility in the future.

The area selected for the concept design recognised that Council is also proceeding with drafting a master plan for an adjoining play space project. Inspiring Place, the consultants who are working on the Glenorchy Playspaces master plan, have been briefed on the skate park proposal. If Council adopts the recommendation, the designs can be incorporated into the one overall master plan.

The master plan will allow for the two recreational facilities to be optimally designed to allow for separation and connectivity. The draft master plan will go out for public consultation which will allow skate park stakeholders to review the concept design and provide further comment on the layout and features before proceeding to detailed design, planning approvals and construction.

If the proposal is endorsed by Council, the detailed design and construction phase will be undertaken over the next 12-18 months.

How will we communicate the outcomes?

The feedback and draft concept design for the preferred locations will be captured in a Skate Action Plan for Glenorchy.

While the Skate Action Plan will focus on identifying the immediate expenditure of the community grant, it will also capture other feedback from the community on how we can improve the skate-ability of Glenorchy.

Council's decision will be communicated to the community through our Facebook page and website and other communications channels.

The draft Playspaces master plan will incorporate the concept design for the skatepark, and the community will have an opportunity to provide feedback on this draft design.

Consultations:

Manager Community
Coordinator Community Planning and Inclusion
Community Engagement Officer
Community Development Coordinator
Operations and Maintenance Supervisor

Project Manager Sport and Recreation
 Planning and Design Officer
 Enlocus (formally ConVic) – skate park engagement and design consultants
 Inspiring Place
 Department of Health and Human Services

Human Resource / Financial and Risk Management Implications:

Financial

Council has been provided with a \$250,000 grant from the Department of Health and Human Services to develop a community skate facility. The grant will pay for the design and construction of the skate facility.

Human resources

Council will provide in-kind support for this grant in the form of officer time to prepare the engagement plan and carry out project management of consultants.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Moderate (C3)	Likely (L4)	Notable	The skate community is diverse and has differing views, so it will ultimately be difficult to satisfy all stakeholders with community engagement. The development of a Skate Action Plan will acknowledge the different views of the community but ultimately prioritise the spending of the community grant.
Criticism from stakeholders about the site selected and delay, leading to reputational damage to Council and negative public relations.				
Low engagement in the final design due to it being coupled with the play space project.	Minor (C2)	Unlikely (L2)	Low	Working with the consultants and council's engagement and communication experts to distribute the draft master plan and meeting dates widely. Targeted consultation with previous survey respondents.
Delays in the release of the draft play space master plan for Montrose Bay which would hold up the implementation of the skate park project	Moderate (C3)	Possible (L3)	Moderate	The play space project is running to strict timeframes as there are milestone commitments in the grant agreement. However, if there were significant delays the skate park project could be released for final comment as a standalone project.
Do not adopt the Recommendation	Moderate (C3)	Likely (L5)	Significant	Council makes an alternative resolution about how the project will progress to avoid any further delays.
A level of concern and criticism from stakeholders and DHHS at the length of time to undertake engagement with the community and the potential loss of grant funds and associated reputational impacts for Council.				

Community Consultation and Public Relations Implications:Community consultation

A Community Engagement Plan was prepared in accordance with Council's Community Engagement Strategy and Framework and in partnership with staff from Council's Community Development and Inclusion. Enlocus was engaged to assist with community engagement.

The consultation occurred in the last two weeks of October 2019 (when school was back from holidays) for a minimum of two weeks. The consultation was in the format of an online survey, accompanied with an FAQ so the community could understand the context of the information being gathered and to set expectations about what resourcing is available and what types of facilities are achievable with this amount of funding. As previously mentioned, workshops were held during the consultation period. Council officers also attended other community meetings and committees to present the survey.

Public relations

There are public relation implications given historical interest in from the skate and wheeled devices community in the development of a skate park and frustration at the perceived lack of progress. Appropriate communications plans will be put in place to ensure that Council's messages are accurately and effectively conveyed.

Recommendation:

That Council:

1. RECEIVE and NOTE the community feedback on the Glenorchy Skate Park
2. ENDORSE the preparation of a Skate Action Plan for Glenorchy
3. ENDORSE the concept design prepared by Enlocus for inclusion in the draft Montrose Bay Play Space Master Plan by Inspiring Place, and
4. ENDORSE the proposed approach to proceed with expending the grant funding, outlined in this report.

Attachments/Annexures

- 1 Glenorchy Skatepark Survey



- 2 My Glenorchy Skatepark FAQ



- 3 Skatepark Engagement Summary



- 4 Montrose Bay Skate Park Concept Design



GOVERNANCE

Community Goal: “Leading our Community”

11. DISPOSAL OF PUBLIC LAND - MILL LANE (CARPARK) - FURTHER EXTENSION OF TIMEFRAME

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 recommend that Council further extends an exclusive dealing period with Marigold (Tas) Pty Ltd (**Marigold**) to exchange or purchase land situated at Mill Lane, Glenorchy.

Proposal in Detail:

At its February 2019 Council meeting, Council resolved to commence proceedings to dispose, exchange or lease a 745m² parcel of public land at Mill Lane, Glenorchy (CT29803/5) (**the Land**). While the address of the Land is listed as Mill Lane, it is situated on the corner of Barry and Regina Streets in the Glenorchy CBD.

Following the completion of the statutory process to approve the potential disposal of the Land, an additional report was presented and passed at the May 2019 Council meeting, at which Council resolved as follows:

That Council:

- 1. NOTE the responses to the section 178 process*
- 2. Having considered all the submissions received, APPROVE the Disposal by way of exchange, sale or lease of the property at Mill Lane, Glenorchy, situated on the corner of Barry Street and Regina Street, CT29803/5 (the Land) in whole or in part*
- 3. AUTHORISE the General Manager enter into a 90-day exclusive dealing period with Marigold (Tas) Pty Ltd to exchange or purchase the Land, and to take all actions necessary to complete the transaction, and*
- 4. REQUEST that a further report be provided to Council on options to dispose of or retain the Land in the event that Council is unable to reach a negotiated outcome with Marigold (Tas) Pty Ltd to purchase the Land.*

Since that meeting, Council Officers have worked closely with the agents of Marigold and are close to reaching a satisfactory deal for Marigold to purchase the site.

At its 28 October 2019 meeting, Council approved a 6-month extension to the time frame, on the basis that Marigold was to lodge a planning application to develop the site. That six-month extension will soon expire.

To allow Marigold to progress with purchasing the property, officers request that Council further extends the exclusive dealing period with Marigold.

While a resolution is close and expected to be reached before the end of the financial year, a further 6-month extension is requested. This is to allow time for negotiations to be finalised, while allowing additional time for any unforeseen complications that might arise.

Consultations:

General Manager
Manager Development
Manager Property, Environment and Waste
Marigold (Tas) Pty Ltd (and its agent)

Human Resource / Financial and Risk Management Implications:

Financial

All costs associated with the disposal will be borne by the purchaser.

The financial implications for Council are expected to be minimal as the costs associated with a proposal to develop the land would be at the developer's cost.

Until a negotiated outcome is achieved with an interested party, the value of any transaction cannot be fully assessed.

Human resources

Council's Open Space Coordinator will deal with this matter with the assistance of the Property Officer and the Manager Property, Environment and Waste.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Adverse public reaction to decision to extend the exclusive dealing process.	Minor (C2)	Possible (L3)	Moderate	Council has considered all objections received during the statutory consultation process, as required under s. 178 of the Act and appropriately manages communications around the issue to counter any misinformation that is circulated.
Do not adopt the recommendation Council may miss an opportunity to achieve a positive outcome for the CBD area which aligns with Council's strategic objectives.				
	Moderate (C3)	Likely (L4)	Notable	Council could look to disposing of the land privately in the future. However, the advantage of selling the land to the current interested purchasers may be lost.

Community Consultation and Public Relations Implications:

Community consultation

The section 178 process under the Act provided the public with the opportunity to comment on the proposed disposal. There were three representations lodged and these were considered and responded to in accordance with legislative and policy requirements. There was no representation lodged following the decision of Council at the May 2019 meeting.

Recommendation:

That Council:

1. NOTE that negotiations with Marigold (Tas) Pty Ltd to exchange or purchase the property at Mill Lane, Glenorchy, situated on the corner of Barry Street and Regina Street, CT29803/5 (**the Land**) during the initial exclusive dealing period have been constructive, and that a resolution is close, and
2. EXTEND the exclusive dealing period with Marigold (Tas) Pty Ltd for a further six (6) months, to allow time for negotiations between Council and Marigold (Tas) Pty Ltd in respect of the Land to be finalised and for a satisfactory outcome to be reached.

Attachments/Annexures

Nil.

12. GLENORCHY WAR MEMORIAL AQUATIC CENTRE - TEMPORARY EXTENSION TO CONTRACT

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

Qualified Person: Director Infrastructure and Works (Ted Ross)

ECM File Reference: 0507-2015

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

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|----------------|---|
| 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 seek Council's approval to temporarily extend the YMCA's operating lease for the Glenorchy War Memorial Aquatic Centre until 30 September 2020 to allow time for the current tender process to be completed.

Proposal in Detail:

In 2011 Council entered into an agreement with the YMCA to manage and operate the Glenorchy War Memorial Aquatic Centre for a 3-year period. Subsequently, an additional contract was awarded to the YMCA until 31 March 2020 following a competitive tender process.

In recent months, Council has been working on the new tender for the management of the Pool. This process is currently underway and advanced, and an advertisement has been placed calling for tenders. Unfortunately, due to various reasons and the unexpected impacts of the Coronavirus outbreak, the tender closing date has recently been extended until mid-April, meaning it will not be complete by the expiry of the current contract with YMCA on 31 March 2020.

This delay potentially means there will be no management of the facility until a new contract is awarded. This does not have any impact on the wider community as the facility has now closed for the 2020 summer season.

However, it is important that the facility is maintained and monitored during this time to maintain its existing lifespan. Council does not currently have the resources to oversee this work.

It is therefore recommended that the existing contract between Council and the YMCA be extended until 30 September 2020 to allow time for the tender process to be completed and a new contract finalised.

Such an action is permitted under the *Local Government (General) Regulations 2015*, which relevantly provides in sub-regulation 23(5):

- “(5) A council may extend a contract entered into by tender –
- (a) as specified in the contract; or
 - (b) if the contract does not specify extensions, by an absolute majority.”

A Council resolution (by absolute majority) to extend the contract until 30 September 2020 is required because there are no extension options remaining under the contract.

The need to extend the contract has arisen due to unforeseen circumstances (which did not apply when tenders were called), which have delayed the current procurement process for a new contract.

The unforeseen circumstances are the current strain on Council resources and resources of prospective tenderers due to the COVID-19 pandemic, which has resulted in Council being required to extend the closing date to 22 April 2020.

This means that there will be insufficient time to evaluate and award the tender and execute and implement the contract before the current contract expires. Therefore, a short-term extension of the current contract to ensure continuity of the services.

Consultations:

Acting Manager Corporate Governance
Procurement and Contracts Coordinator
Director Infrastructure and Works

Human Resource / Financial and Risk Management Implications:

Financial

The estimated cost of extending the contract to 30 September 2020 would be approximately \$30k.

Human resources

If the recommendation were to be accepted, no additional human resources would be required. If not, additional human resources would be required to maintain the pool.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Communicate with all prospective tenderers on the reasons for extending the current contract.
Concern raised by other tenderers in respect to delaying the tender process.				
Do not adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	All maintenance and operation of the facility would need to be undertaken by Council's facility staff, resulting in a reduction of other services.
No provider in place to manage the ongoing maintenance of the pool				

Community Consultation and Public Relations Implications:

There are no material community consultation or public relations implications.

Recommendation:

That Council:

APPROVE an extension to the existing Glenorchy War Memorial Aquatic Centre Lease (Contract No 0507) with YMCA until 30 September 2020, to allow time for the current tender process to be completed.

Attachments/Annexures

Nil.

13. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

Author: Manager Corporate Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Self)

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 4.1.3 | 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 11 February 2020 to 11 March 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 11 February 2020 to 11 March 2020. There have been three (3) exemptions approved for the period, accounting for \$111,943.55 in budgeted operational expenditure. The exemptions cover architectural design services for the Eady Street amenities and contractors assisting the Moonah Taste of the World event. For the Council's reference, the architectural design supplier had already pre-qualified through submitting a tender to be included in Council's multi-use register.

The above amounts were accounted for in Council's current 2019-20 budget.

Expenditure on external legal services

For the month of February 2020, the total amount spent on external legal services for all of Council was \$2,543.60.

Expenditure update - Sugden & Gee (KGV consultancy services)

At its meeting on 29 October 2018, Council approved additional expenditure of \$100,000 with Sugden & Gee Pty Ltd for ongoing services in relation to the KGV project, bringing the total expenditure on Sugden & Gee to \$500,000 (incl. GST).

Council also approved the non-application of the tender process for the contract with Sugden & Gee on the basis that extenuating circumstances meant that a satisfactory result would not be achieved by inviting tenders. The reasons for that decision are outlined in the report to Council's October 2018 meeting.

Council has requested that it be kept informed of the running total of expenditure on Sugden & Gee for its services in relation to KGV.

A single invoice for Sugden & Gee was paid in February 2020 for \$6,147.68. This was an outstanding invoice missed for payment on 15 September 2019. At the date of this report, the total expenditure on Sugden & Gee is \$416,709.36.

On 12 August 2019 the Director Regional Programs and Financial Reporting wrote to Council confirming the redevelopment of the KGV Sports and Community precinct is complete and the five (5) year operational period, as per the funding agreement, has commenced.

Extension of labour hire contracts

Council's current contracts with labour hire firms are due to expire shortly. The contracts were all entered into following public tender processes in accordance with the requirements in the Act.

It is critical that Council is able to continue these arrangements for the time being to give us the ability to respond to capital works and maintenance demands that may arise as a result of the current Coronavirus situation. There is also a current inability and insufficient time to call for tenders for these contracts.

On that basis, on 24 March 2020, the General Manager approved the non-application of the requirement to carry out a public tender process, to allow Council to enter into short-term (6 month) contracts with our existing labour suppliers to allow these services to continue.

This is permitted under regulation 27(a) of the *Local Government (General) Regulations 2015* which provides that a public tender process is not required in:

"(a) an emergency, if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency"

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:

- \$111,943.55 in budgeted operational expenditure
- \$2,543.60 on external legal services, and
- \$6,147.68 on Sudgen and Gee project management expenses.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	M	U	L	

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Criticism of Council's acceptance of procurement process exemptions and associated expenditure.				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 communicates reasons for refusal and identifies preferred practices and information required for future exemptions.
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	

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:

1. RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 11 February 2020 to 11 March 2020, and
2. NOTE the General Manager's exercise of the power under regulation 27(a) of the *Local Government (General) Regulations 2015* to authorise entry into short-term (six month) contracts with Council's labour hire suppliers without a public tender process.

Attachments/Annexures

- 1 Procurement Exemptions 11 March 2020



14. FINANCIAL PERFORMANCE REPORT TO 29 FEBRUARY 2020

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 29 February 2020.

Proposal in Detail:

The Financial Performance Report (**Report**) for the period 1 July 2019 to 29 February 2020 is Attachment 1.

The Report highlights that at 29 February 2020 Council's operating result is \$2.414m better than the budgeted position.

A summary of the key indicators is as follows:

Revenue

Revenue is \$502k or 0.9% above budget, representing a decrease to last month's result of \$651k or 1.2% above budget.

The net result is predominately influenced by additional grant revenue for childcare utilisation, plus specific purpose grants for capital works at KGV. This is offset by decreased user-fees from Council's landfill, due to the decision to redirect waste and an absence of major events at our entertainment venues.

Expenditure

Expenditure is \$1.912m or 4.8% below budget, representing an increase to last month's result of \$1.786m or 5.1% below budget.

As reported in previous months, vacant positions in the first half-year have resulted in lower than budgeted employee expenses. This will continue to be the major contributor to the expenditure underspend up until 30 June.

Capital Works

Capital works expenditure is \$8.206m against an annual budget of \$14.009m.

Capital works at the project level continue to be monitored closely to ensure the annual program is delivered as close to budget as possible. Proactive decisions have been made that has resulted in the reallocation of budgets and bringing forward/moving back of projects between years. Current forecasts indicate that the Capital Works program will finish within 1% of its budget.

More detailed information on noteworthy revenue and expenditure variances can be found in the Explanatory Notes in Attachment 1.

COVID-19 Response

Council's financial position from March 2020 onwards and into the next financial year is expected to be significantly adversely impacted by the current COVID-19 crisis.

We will provide updates and information on the impact in future Financial Performance Reports to Council.

Consultations:

General Manager

Executive Leadership Team

Officers responsible for Capital and Operational Budget reporting

Human Resource / Financial and Risk Management Implications:

Financial implications are set out in the body of this report and the attachment. Key risks are detailed below.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation The strong year-to-date financial result may be interpreted as being of direct benefit in formulating the budget for the year ending 30 June 2021.	Minor (C2)	Possible (L3)	Moderate	Explanations are provided for material variances to inform the reasons leading to the variance are "year specific" in nature. It also contains a statement the 2019/20 forecast result does not directly translate into the 2020/21 budget.
Do not adopt the recommendation	Medium	Low	Low	

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
There may be a misunderstanding of the information presented in the report leading to a perception the Council lacks confidence in its forecast financial position				To assist with understanding the financial position of Council, the report contains information in various formats including charts, tabular and commentary.

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 29 February 2020 in the form of Attachment 1.

Attachments/Annexures

1 Attachment 1 - Financial Performance Report to 29 February 2020



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

CLOSED TO MEMBERS OF THE PUBLIC

16. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council Meeting (closed meeting) held on 24 February 2020 be confirmed.

That the minutes of the Special Council Meeting (closed meeting) held on 28 February 2020 be confirmed.

17. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal: “Leading our Community”

18. PROCUREMENT EXEMPTION - HOWARD ROAD RECONSTRUCTION

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).

19. 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).

20. GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW 2019

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).

21. GENERAL MANAGER'S KPIS 2020

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).

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