

**COUNCIL MEETING
AGENDA
MONDAY, 25 JANUARY 2021**



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', is positioned above a horizontal line.

Tony McMullen
General Manager
20 January 2021

Hour: 6:00 pm

Present (in Chambers):

Present (by video link):

**In attendance (in
Chambers):**

**In attendance (by video
link):**

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 11 January 2021

Purpose: To discuss:

- Lease/Licence Directive
- LGAT Motion – Gambling statement

Date: Monday, 18 January 2021

Purpose: To discuss:

- Mid-year Budget review

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council meeting held on 21 December 2020 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME (15 MINUTES)

Please note:

- the Council Meeting is a formal meeting of the Aldermen elected by the Glenorchy community. It is chaired by the Mayor
- public question time is an opportunity in the formal meeting for the public to ask questions of their elected Council representatives about the matters that affect ratepayers and citizens
- question time is for asking questions and not making statements (brief explanations of the background to questions may be given for context but comments or statements about Council's activities are otherwise not permitted)
- the Chair may permit follow-up questions at the Chair's discretion, however answers to questions are not to be debated with Council
- the Chair may refuse to answer a question, or may direct a person to stop speaking if the Chair decides that the question is not appropriate or not in accordance with the above rules
- the Chair has the discretion to extend public question time if necessary.

**Questions on Notice – Eddy Steenbergen, Rosetta
(received Monday, 4 January 2021)**

Q. In a reply to a previous query, the Council's Coordinator Planning Services wrote to me -

"... as there is no legislative requirement to do so, Council does not provide public notice of applications that have been determined under delegation nor does it maintain a public register of applications determined under delegation. "

Although, as he said, there is no legal requirement to share any data regarding applications determined under delegation, I've since learnt that at least four other Tasmanian councils (Hobart, Meander Valley, Dorset and Devonport) publish basic details. Devonport City Council goes further, providing in the agenda for each Planning Authority Committee meeting a list of all approvals since the previous meeting.

- 1. Can I be provided a list of the following data in the shown format (used by Devonport) for all applications determined under delegation in the calendar year 2020?**

Application No.	Location	Development	Approval Date
PA2020.0108	45 Valley Road, Devonport	Residential (multiple dwellings x 2)	18/09/2020

- 2. In the interests of transparency, will Council consider incorporating this data in the agenda for each Planning Authority meeting as Devonport does**
- 3. Council makes limited information in its website about applications currently open for public consultation. Is Council aware of any legal**

impediment to sharing that same information for applications determined under delegation?

- A. There are provisions in State legislation for making the public aware of applications for discretionary planning permits by requiring that applications are publicly advertised. Provisions also allow representations to be made on these applications to facilitate public participation in the assessment process. Notification of the granting of a planning permit is only required to be given to persons who made a representation during the advertising period. This is to enable those persons to consider whether they wish to appeal the granting of the permit.

State legislation does not require Councils to publish lists of permits that have been granted on their websites or in meeting agendas. While some Tasmanian Councils do choose to provide information on permits approved under delegation on their websites and/or in Council or committee agendas, the potential benefit that arises from increasing community awareness of what permits have been granted must be weighed against the fact that, aside from persons who made a representation during the advertising period, the public have no ability to challenge or seek changes to a permit once it has been granted. Publishing a list of planning permits that have been granted would potentially raise unrealistic expectations on the part of some members of the public that they could initiate changes to a permit. It would also make public information about properties that is currently known only to the landowner, their representatives and Council, without the consent of the landowner.

Council currently meets all legislative requirements related to the advertising of applications for discretionary planning permits and, in addition, provides copies of these applications on its website for the duration of the advertising period. Further, Council will, on request and subject to receiving the consent of the owner of a property to do so, provide details or copies of a planning permit on a particular property to members of the public. Should State legislation change in the future to require Councils to publish information on permits that have been granted, Council will of course comply with that requirement.

In response to the three questions:

1. Council does not intend to provide a list of permits granted under delegation for the 2020 calendar year, as it is not the practice of Council to provide members of the public with information about private properties that is not required to be made public.
2. Council does not intend to publish a list of permits granted under delegation in the agenda of the Glenorchy Planning Authority as there is no statutory requirement to do so and doing so would make public information about properties that is currently known only to the landowner, their representatives and Council.
3. Council is unaware of any specific legal impediment to publishing a list of permits granted under delegation, although any release of such

information is subject to the provisions of the *Right to Information Act 2009* and applicable privacy legislation. In providing copies of advertised applications on its website, Council is merely facilitating public access to information that is already required by legislation to be made available to the public.

**Questions on notice – Janiece Bryan, Montrose
(received 19 January 2021)**

Q1. Can you confirm that the sale of all publicly owned properties is recorded on “The List”?

“The List” - Properties and Titles including Property Sales The List is a Government online search facility that enables you to find and obtain a range of property and title information, including documents such as Folio Text, Folio Plans, Schedule of Easements, Survey Notes, Property Information Reports and Property Sales.

A: Yes. The sale of all real property in Tasmania, including publicly owned properties sold by Council, is recorded on the Register of Title which is maintained by the Tasmanian Land Titles Office under the *Land Titles Act 1980*. Under the ‘torrens’ system of property title used in Tasmania (which is also used in all other Australian states and territories), the transfer of property to a new owner only takes place only when the transfer is registered on the Register of Titles.

“The List” is the online search facility operated by the Tasmanian Government through which members of the public can request copies of the information that is recorded in the Register of Titles.

Q2. If this is not the case can you explain how and where the transactions around their disposal are recorded?

A: Not applicable.

Q3. How do members of the public access this information?

A: Information and reports about specific properties can be obtained by contacting The List and requesting a property report (for which a fee is payable).

Alternatively, if information is sought about which properties Council has sold over a particular time period, you can submit a Right to Information request to Council requesting that Council provides that information (information about this process can be found on Council’s website at:

www.gcc.tas.gov.au/council/governance-and-operations/privacy-and-rti/)

Questions on Notice – Janine Foley, Chigwell
(received Tuesday, 19 January 2021)

- Q1.** Please identify the risk appetite setting, in matrix, that has been identified relating to the [procedural] way in which Glenorchy City Council currently conducts workshop 'activities'? Can specific comment relating to the 'risks' associated with the public withhold of all data relating to all aspects of workshop 'activities' be addressed - specifically in relation to the historic fact that remediation and remedy relating to organisational dysfunction has been consistently and systematically met by significant on-costing to a ratepayer base that is denied all information about the spectrum of decision making that has repeatedly lead to such disastrous outcomes.
- Q1a.** Workshops. What are the actual risks that have been identified in the way in which current organisational practice withholds all data regarding activities, attendees, duration, location, resources, communication, information, conflicts, identification - management - recording - communicating conflicts, all other organisational cultural settings that remain unknown - undisclosed and kept secret from the general public?
- Q1b.** Which stream of organisation is responsible for recording [minuting proceedings] workshop 'activities'? Who has overall accountability for this data?
- Q1c.** Are there organisational protocols in place that cover workshop 'activities' that protect the integrity of information that can be regarded as 'attributable knowledge'?
- Q1d.** How are conflicts managed? That is in what capacity [definitional] do members of council [appointed and elected] attend workshop 'activities' in?
- A.** The questions have been taken on notice. Answers will be provided to Ms. Foley in writing and published in the agenda for the February Council meeting.

7. PETITIONS/DEPUTATIONS

A petition submitted by Janiece Bryan of Montrose titled "Stop selling our car park (Regina/Barry St) ", received on 19 January 2021 will be tabled.

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 has attended during the period Tuesday, 15 December 2020 to Monday, 18 January 2021.

Tuesday 15 December 2020

- Presented the Christmas Colouring Prize to a Collinsvale Primary Student
- Attended the Greater Hobart Mayors’ Forum
- Attended the Greater Hobart Mayors’ lunch

Wednesday 16 December 2020

- Chaired a Glenorchy CBD Community Roundtable meeting
- Attended a meeting with Mayor Dean Winter

Thursday 17 December 2020

- Attended the Moonah Primary School Awards Assembly
- Attended a meeting with a resident
- Attended a meeting of the LGAT Charitable Rates Steering Committee

Friday 18 December 2020

- Attended a media event at the Tasmanian Transport Museum

Monday 21 December 2020

- Attended a meeting with Councillor Phil Owen
- Chaired the Glenorchy Jobs Hub Reference Group meeting
- Chaired the Council meeting

Wednesday 23 December 2020

- Attended a meeting with a business representative
- Presented the Glenorchy City Council Gifting Tree gifts and donations

Tuesday 5 January 2021

- Attended a meeting with a resident

Thursday 7 January 2021

- Attended a meeting with a resident
- Attended the Golden Wattle Club Cafe

Saturday 9 January 2021

- Attended the Claremont Summer Flower Show
- Attended the birthday celebrations of a resident

Sunday 10 January 2021

- Attended the Multicultural Sports League Men's Badminton Tournament and presented trophies

Monday 11 January 2021

- Chaired the Council workshop

Tuesday 12 January 2021

- Attended a meeting with representatives of the Gypsy Petanque Club

Wednesday 13 January 2021

- Attended a media event with Lord Mayor Anna Reynolds and Mayor Dean Winter regarding the flood alert system

Friday 15 January 2021

- Attended a meeting with a business representative

In addition to the above meetings and events, the Mayor attended numerous internal meetings and performed other administrative duties.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations 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 Tuesday, 15 December 2020 to Monday, 18 January 2021.

Attachments/Annexures

Nil.

9. GAMBLING MOTIONS TO THE LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

Author: Coordinator Community Planning and Engagement (Andrea Marquardt)
Manager Community (Marina Campbell)

Qualified Person: Director Community and Customer Services (David Ronaldson)

ECM File Reference: Gambling

Community Plan Reference:

Making Lives Better

We will continue to be a safe, inclusive, active, healthy and vibrant community.

Strategic or Annual Plan Reference:

Making Lives Better

- Objective 1.1 Know our communities and what they value
- Strategy 1.1.1 Guide decision making through continued community engagement based on our Community Plan
- Action 1.2.2.03 Partner with other stakeholders to support priority initiatives which address social disadvantage

Reporting Brief:

To recommend that Council supports two proposed motions to General Meeting of the Local Government Association (**LGAT**) on 12 March 2021 in relation to gambling.

Proposal in Detail:

The *Local Government Act 1993* (section 20) provides that it is a function of councils to provide for the health, safety and welfare of the community and to represent and promote the interests of the community. Glenorchy City Council (**Council**) has a role in advocating on behalf of its residents to other levels of Government if it believes there is a significant issue that impacts the community.

Based on the research regarding the addictive nature of electronic gaming machines and the harm that they cause in the community, it is clear that Council has a role to play in advocating on behalf of the community in relation to gambling, specifically electronic gaming machines.

Council has previously made statements expressing concerns around gaming in Tasmania and its impact on the Glenorchy community. Council is also a member of the Community Voice Against Pokies Coalition.

In 2016, Council made a submission to the Joint Select Committee on future gaming markets in Tasmania. The submission focussed on:

- the community aspirations of citizens of Glenorchy City, and how electronic gaming machines are contrary to the community's vision for our City
- the context of poker machines in Glenorchy City in terms of the local economy and community preferences relating to social and economic activities, and
- Council's views on the effectiveness of harm minimisation measures from Glenorchy City's perspective.

The aim of providing the submission was to demonstrate to the Committee that one of the local government areas most impacted by electronic gaming machines strongly desired change. It urged the Committee to investigate and recommend that measures be taken to prevent licences for electronic gaming machines at community venues being renewed after 2023.

At the Council meeting on 28 September 2020, Council reaffirmed its position on gambling, and endorsed the following Statement of Commitment:

Recognising that gambling, and specifically electronic gaming machines, can cause significant harm to individuals, families and the broader community, and that the strongest risk factor for gambling harm is electronic gaming machine play, Glenorchy City Council will work closely with our residents, government, community organisations and businesses to implement the following commitment:

Glenorchy City Council will

1. ***Advocate*** for the removal of electronic gaming machines from hotels and clubs in the City through a managed reduction over time.
2. ***Partner*** with organisations and/or service providers to advocate for increased harm minimisation and consumer protection measures, including reducing hours of operation, reducing the maximum bet to \$1 and greater targeting of social programs for the community.
3. ***Engage*** with community, community organisations, service providers, businesses, government and social researchers to gather and share information about the use and impact of electronic gaming machines.

Following Council's endorsement of the Statement of Commitment on Gambling, Council made a supplementary submission on the Future of Gaming in Tasmania and a submission to the fifth Social and Economic Impact Study of Gambling in Tasmania (SEIS) in September and October 2020, respectively (see [Attachments 1 and 2](#)).

The Future of Gaming in Tasmania review is currently deferred due to the impacts of the COVID-19 pandemic. The original timeline was for the exposure draft of the *Gaming Control Amendment (Future Gaming Market) Bill 2020* (**draft future gaming bill**) to be released on 27 April 2020 with the closing date for comment on the draft on 8 May 2020.

The fifth SEIS is expected to be released in June or July 2021. The draft future gaming bill may therefore be released for consultation prior to the SEIS being available, meaning that any submissions on the bill will not be informed by the SEIS.

Proposed Gambling Motions to LGAT

Officers are concerned that the release of the draft gaming control before the SEIS is released will prevent a properly informed debate around the impact of gaming machines, which is a critical consideration in any major decision about how the gaming market in Tasmania is regulated.

So that Glenorchy City Council, and other Tasmanian councils, can provide informed comment on the anticipated draft bill, it is proposed that Council moves the that the following motion for consideration at LGAT's March 2021 General meeting:

1. That local government calls on the Tasmanian Government to honour the commitment (given at the Premier's Local Government Council on 6 November 2019) for a five-week consultation period on the draft *legislation to amend the Gaming Control Act 1993 to give effect to the Future Gaming Market Policy*, when released, and
2. That the Tasmanian Government defers the release of the *legislation to amend the Gaming Control Act 1993 to give effect to the Future Gaming Market Policy* for consultation until the latest information relating to gambling in Tasmania is made available, including:
 - (a) the release of the fifth Social and Economic Impact Study; and
 - (b) social and economic modelling used to develop the Future of Gaming in Tasmania policy.

While Glenorchy City Council has a clear vision in relation to gambling following the adoption of our Statement of Commitment, support from LGAT would add weight to Council's future actions and provide other councils with an increased opportunity to have their say on this important issue.

Further information is provided below.

Future Gaming Legislation Exposure Draft

In 2018, the Tasmanian Government announced its policy for the future of the Tasmanian gaming market, providing an overview of how the Tasmanian gaming industry will be restructured.

In 2020, the Department of Treasury and Finance released a public consultation paper, the Future of Gaming in Tasmania, which provided detail of the Future Gaming Market regulatory model that will implement this policy from 1 July 2023.

Under the new regulatory model, licences for casinos, keno and hotels and clubs would be distributed for up to 20 years, with further changes to the regulatory model unlikely until 2043.

While Council and other stakeholders have had an opportunity to comment on the public consultation paper, it will be very important for Aldermen and Council officers

to have time to fully review the draft future gaming bill when it is released and have enough time to respond.

The original timetable set for the consultation period for bill was 10 working days. It is anticipated that this will also be the case when the draft bill is released in 2021.

LGAT previously had a Statewide Partnership Agreement with the Tasmanian Government in relation to timeframes for consultation on issues relevant to local government.

Although the agreement has expired, the issue was discussed at the Premier's Local Government Council meeting on 6 September 2019 with the minutes recording the following:

*"The Premier noted that, although the Statewide Partnership Agreement between the State Government and the local government sector has expired, the Government continues, as a matter of protocol, to observe the five-week consultation period contained in that Agreement. This was welcomed by LGAT. The Premier noted he would be asking the Secretary of DPAC to write to other agency heads reminding them of the minimum five-week period."*¹

The first paragraph of the motion therefore seeks LGAT's support in calling for the State Government to honour the agreement in relation to the consultation period of the draft bill to allow an appropriate time for a detailed review and preparation of submissions.

The proposed changes to the legislation will have an impact on any local government area which has electronic gaming machines, particularly for single operators of hotels and clubs. Regardless of whether councils support or oppose the legislation it is important to understand the changes and the possible effect on their communities.

Request for deferral of the draft bill until latest information relating to gambling in Tasmania is released

The Future Gaming Market regulatory model proposed by the State Government is a major restructure of the gaming industry. Given its significance, it is important that information used to develop the model, as well as up-to-date information on the sector, is made available to all stakeholders.

The *Gaming Control Act 1993* requires that an independent review of the social and economic impact of gaming in Tasmania be conducted every three years. The SEIS provides an analysis of key trends in gambling and a gambling prevalence study. This is a key study that is tabled in each House of Parliament after completion.

As noted, the fifth SEIS is currently underway and it is possible that the draft bill will be released, and a decision made in Parliament, prior to the results of the SEIS being made available.

Given the importance of the SEIS and the fact that the Future Gaming legislation exposure draft was postponed due to the impacts of the COVID-19 pandemic, being

¹ Premier's Local Government Council minutes from 6 September 2019, Department of Premier and Cabinet website

able to review the SEIS and any recommendations made in that report prior to commenting on the Future Gaming legislation exposure draft is critical.

Council's submission on the Future of Gaming in Tasmania was made based on the information made publicly available at the time through the Tasmanian Government's Future Gaming consultation paper. The consultation paper provided details of the proposed changes to the regulatory model but did not provide any social or economic modelling used by the State Government to develop its proposal.

It is essential for councils and other stakeholders to have access to this modelling information if they are to add value to the next stage of the consultation process and gain a clearer picture of how changes will impact individual municipalities.

It is worth noting that the request to defer the Future Gaming legislation until the release of the SEIS and the provision of the social or economic modelling would not impact the Tasmanian Government's proposed legislation commencement date of July 2023.

Other actions

Though not part of the proposed LGAT motions, it should be noted that Council officers are working on developing an action plan in relation to gambling issues raised in previous submissions. While Council's position recognises the best way to reduce gambling harm in our community is through a managed reduction and removal of electronic gaming machines over time, there are also several harm minimisation strategies that would contribute to reduced harm, which include:

- reducing bet limits to \$1
- reducing the maximum jackpot
- reducing spin speeds, and
- reducing opening hours.

These harm minimisation measures are recognised as the norm in most other countries where electronic gaming machines operate. Across Australian States and Territories, there is not a consistent approach to harm minimisation. Council officers will develop a communications strategy, including educational material, which will focus on outlining the reasoning of advocating for the above harm minimisation measures to be implemented in our clubs and hotels and that this is something that can be changed without detrimental impact on businesses or recreational gamblers.

Consultations:

General Manager

All Aldermen (Council Workshop)

Director Community and Customer Services

Coordinator Community Development

Meg Webb MLC, Independent Member for Nelson

CEO, Local Government Association of Tasmania

Human Resource / Financial and Risk Management Implications:Financial

There are no material financial implications.

Human resources

There are no material human resources implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
No material risks have been identified				
Do not adopt the recommendation	Moderate (C3)	Possible (L3)	Medium	Council instead writes to the Premier and relevant ministers and government agencies advocating for the same outcomes proposed in the motion.
Council will not have the support of the local government peak body when lobbying the Tasmanian Government for an appropriate consultation period and to receive the SEIS report and other modelling information. This may reduce the likelihood of Council's suggestions being adopted and the efficacy of submissions in relation to the proposed bill.				

Community Consultation and Public Relations Implications:Community consultation

There has been no specific community consultation since 2016 on gaming other than with service providers including Anglicare and TasCOSS, who shared information with Council when making the recent submissions. Further consultation will occur with the community when an action plan for gambling in the City is developed.

Public relations

No adverse community reaction is anticipated from making the motion to LGAT. It is acknowledged that businesses with electronic gaming machines may not support Council's position, however as per Council's Statement of Commitment, it is the intent to engage with community, community organisations, service providers, businesses, government and social researchers to gather and share information about the use and impact of electronic gaming machines.

Officers from the Community, Economic Development and Communication areas will work together to put together a communication and engagement strategy for discussions with community and businesses.

Recommendation:

That Council:

1. ENDORSE the following motion being put to the LGAT General Meeting in March 2021:
 1. *That local government calls on the Tasmanian Government to honour the commitment (given at the Premier's Local Government Council on 6 November 2019) for a five-week consultation period on the draft legislation to amend the Gaming Control Act 1993 to give effect to the Future Gaming Market Policy, when released, and*
 2. *That the Tasmanian Government defers the release of the legislation to amend the Gaming Control Act 1993 to give effect to the Future Gaming Market Policy for consultation until the latest information relating to gambling in Tasmania is made available, including:*
 - (a) *the release of the fifth Social and Economic Impact Study; and*
 - (b) *social and economic modelling used to develop the Future of Gaming in Tasmania policy.*

Attachments/Annexures

- 1 Glenorchy City Council Submission - Fifth Social and Economic Impact
[⇒ Study](#)
- 2 Glenorchy City Council Future of Gaming in Tasmania Supplementary
[⇒ Submission](#)

GOVERNANCE

Community Goal: “Leading our Community”

10. REVISED OPERATIONAL AND CAPITAL BUDGET 2020/21

Author: Chief Financial Officer (Tina House)
Reporting Officer (Allan Wise)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Annual Budget 2020/2021

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
- 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 Council approves alterations to the current 2020/21 Budget estimates to include the revised Operational Revenue and Expenditure and Capital Expenditure budget amounts detailed in this report.

Proposal in Detail:

Background

Council's 2020/21 Budget Estimates were presented to, and approved, by Council on 19 June 2020 (**June Review**).

As a result of the uncertainties around the economic climate and the impacts of COVID-19 that existed at that time, Council committed to reviewing the budget in August 2020 and again in January 2021. The following future reports were foreshadowed in the June Report:

"The 2020/21 budget estimates (as presented) represent the best approximations available at the time of preparation, taking into account there are many external financial factors outside of Council's control that may

crystallise over the coming months. Because of the level of uncertainty around external factors, the budget will be reviewed, and an update provided to the Council meeting in August 2020, and again in January 2021.”

On 31 August 2020 (**August Review**), Council approved changes to the budget as foreshadowed in the June report. This report (**January Review**) provides a further update on Council's budgetary position and seeks approval to further revise the Budget Estimates.

Summary

As a result of the COVID-19 pandemic, the focus of the 2020/21 budget was predicated on:

- providing community assistance measures to support the community through difficult financial times
- increasing expenditure on capital works, and
- investing in economic recovery and stimulus projects.

The June Review was developed at the peak period of the COVID-19 disruptions and included estimates based on known financial requirements, plus estimates based on conservative assumptions where uncertainty existed.

Subsequently, the August Review made changes to readily observable budget variations where certainty for the remainder of the financial year was able to be established.

This January Review provides Council with a further budget update. Many of the changes in this report relate to revenue and expenditure items that have taken time to crystallise sufficiently for a revision to be calculated.

In summary, the revised Budget Estimates for 2020/21 outlined in this report disclose an improved deficit of \$7.679m compared to the original deficits of \$9.602m approved in the June Review and \$8.727m approved in the August Review.

Revised 2020/21 Budget

Section 82 of the *Local Government Act 1993* requires the General Manager to prepare estimates of Council's revenue and expenditure for each financial year. Subsection (4) allows Council to alter any estimate referred to in (2) during the financial year.

Section 82 (2) and (4) read as follows:

(2) Estimates are to contain details of the following:

- (a) the estimated revenue of the council;*
- (b) the estimated expenditure of the council;*
- (c) the estimated borrowings by the council;*
- (d) the estimated capital works of the council;*
- (e) any other detail required by the Minister.*

(4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.

The proposed changes to the 2020/21 Budget affect the Comprehensive Income Statement as detailed in Table 1:

Table 1 – Changes to the Comprehensive Income Statement

	August Revised Budget 2020/21 \$'000	January Revised Budget 2020/21 \$'000	Budget Movement \$'000	
Total Operating Revenue	54,976	56,320	1,344	↑
Total Operating Expenditure	63,703	63,999	(296)	↑
Total Operating Surplus/(Deficit)	(8,727)	(7,679)	1,048	↓
Total Non-Operating Income	3,423	3,423	0	↔
Net Asset Disposals	(331)	(331)	0	↔
Total Surplus/(Deficit)	(5,635)	(4,587)	1,048	↓
Capital Works Program	21,717	17,569	4,148	↓

Operating Income and Expenditure 2020/21

The proposed Budget changes reduce the anticipated deficit from \$8.727m to \$7.679m. This is due to \$1.344m in additional revenue, which is offset by \$296k in additional expenditure. The forecast Statement of Comprehensive Income is detailed in Table 2:

Table 2 –Forecast Statement of Comprehensive Income 2020/21

GLENORCHY CITY COUNCIL			
FORECAST STATEMENT OF COMPREHENSIVE INCOME			
	January Revised Budget 2020/2021 \$'000	August Revised Budget 2020/2021 \$'000	Movement \$'000
Operating Revenue			
Rates	36,165	36,165	-
Covid-19 Community Assistance Measures	(2,177)	(1,992)	(185)
State Fire Commission Income	5,928	5,928	-
Statutory Charges	1,853	1,575	278
User Charges	10,104	9,863	241
Covid-19 Community Assistance Measures	(289)	(551)	262
Grants and Subsidies	4,134	3,267	867
Investment Income	82	200	(118)
Other Income	520	521	(1)
Total Operating Revenue	56,320	54,976	1,344
Operating Expenditure			
Finance Charges	235	235	0
Employee Benefits	24,472	24,472	0
Administration & Office Costs	6,367	6,278	89
Materials, Services and Contractors	9,730	9,724	6
Covid-19 Community Assistance Measures	2,489	2,489	0
State Fire Commission Contribution	5,898	5,898	0
Depreciation and Amortisation	13,708	13,507	201
Asset Write Off	1,100	1,100	0
Total Operating Expenditure	63,999	63,703	296
Operating Surplus / (Deficit)	(7,679)	(8,727)	1,048
Non Operating Income			
Capital Grants	1,303	1,303	0
Donated Assets	2,120	2,120	0
Profit / (Loss) on Disposal of Land	(504)	(504)	0
Profit / (Loss) on Disposal of Plant and Equipment	173	173	0
Total Non Operating Income	3,092	3,092	0
Total Comprehensive Surplus / (Deficit)	(4,587)	(5,635)	1,048

The major elements of the 2020/21 revised Budget are:

1. Operating Revenue
2. Operating Expenditure
3. Statement of Financial Position
4. Capital Expenditure
5. Cash Flow
6. Long-Term Financial Management Plan

Key variances in each of these elements are set out below.

Variances in each element have been identified which require revision in the 2020/21 budget. Where applicable, the cause of these revisions has been placed into one of the following 2 categories:

- (a) COVID-19 Assumption Review, and
- (b) Budget realignment.

1. OPERATING REVENUE

1.1 Rates Revenue

As part of the COVID-19 Community Assistance Package, Council approved a Rate Rebate to offset the budgeted 2020/21 rate increase. The total rebate allowed for in the original budget was \$1.745m, however the final amount rebated is \$1.929m.

This increase is as a result of the final calculation of the rebate after the processing of all charitable remissions and supplementary rates charges (an unfavourable budget increase of \$185k).

1.2 Statutory Charges

Planning application fees

A significant amount of development is occurring in the municipality which has resulted in a substantial increase in Planning activity. The fees generated are currently \$278k above budget (a favourable budget increase of \$278k).

1.3 User Charges

COVID-19 Assumption Review

Childcare parent fees

The original budget approved in June assumed that as a result of COVID circumstances, Council's childcare centres would have a significantly reduced level of activity for the financial year. As a result of an improved COVID status in Tasmania, the August Review reflected normal activity levels and corresponding income for Council's two childcare centres to the end of December.

This January Review provides a further budget increase for the six-month period from January to June 2021 to account for normal operations (with minimal impacts from COVID restrictions), resulting in increased forecast income of \$216k (a favourable budget increase of \$216k).

Commercial property leasing, licencing and hire fees

The original June 2020 budget assumed that as a result of COVID and the associated State Government provisions in relation to community premises, Council was unlikely to receive any revenue in this category. The August Review identified some leasing and licencing agreements for car parks and mobile phone towers that were unaffected by COVID-19 and removed the hire rebate for these properties.

This January review has identified further leasing and licencing agreements that have since recommenced normal payments, eliminating the need for a rebate. These total \$262k (a favourable budget increase of \$262k).

Parking and general fines

Due to the financial impact COVID-19 placed on the community, more tolerance was granted for parking infringements than normally would have the case. This has gradually been wound back as we return to normal operations, however the revenue impact to-date of \$54k cannot be recovered (an unfavourable budget decrease of \$54k).

Derwent Entertainment Centre (DEC)

A minor amount of catering revenue was included in the original budget for the period up until the sale of the DEC by Council.

However, the DEC closed prior to the start of the financial year due to COVID restrictions, meaning there was no opportunity to generate this revenue (an unfavourable budget decrease of \$23k).

Budget Realignment

Landfill tip fees

In 2019/20, commercial waste was redirected from the Jackson Street Landfill to the Southern Waste Transfer Station at Lutana due to capacity issues at Jackson Street.

The Jackson Street facility has now started accepting commercial waste again, which is generating revenue above budget expectations (a favourable budget increase of \$97k).

Building permit finalisation project

There was only a minimal budget allocated for the fees generated by this project (which commenced as a result of changes to the *Building Act 2016*) due to the

uncertainty in how many customers would act upon the permit finalisation requirement.

There is now sufficient customer activity to enable a budget to be allocated to the forecast revenue (a favourable budget increase of \$84k).

Dog registrations

It is difficult to set an exact budget for dog registrations due to variables such as deceased dogs, moved dogs and changes to dog or owner status fee categories.

As a result, it is opportune to revise the budget in this mid-year review (an unfavourable budget decrease of \$29k).

FOGO kerbside fees

A recalculation of the number of FOGO bins issued to the community has resulted in less than allowed for in the budget. This has resulted in less revenue being levied through rate notices issued in 2020/21 (an unfavourable budget decrease of \$49k).

1.4 Operating Grants and Subsidies

COVID-19 Assumption Review

Childcare government subsidies

As detailed in section 1.3, above, an additional revision of childcare activity and associated revenue has been completed for the period up to 30 June 2021. In addition to increased fees, this category will also generate additional Government subsidies totalling \$658k (a favourable budget increase of \$658k).

Budget Realignment

Glenorchy Jobs Hub

Council will be aware of the funding agreement with the Department of Premier and Cabinet for the establishment of the Glenorchy Jobs Hub.

This project is to be delivered in two phases, with \$330,000 funding for phase 1 due to be paid this financial year, of which \$231k has already been received (a favourable budget increase of \$330k).

Full Gear motorcycle safety program

Funding for this program has been received on a year-by-year basis, however a new five-year agreement commencing on 1 July 2020 has been put in place.

The grant amount for the first year has been received, resulting in the need for a budget realignment of \$53k (a favourable budget increase of \$53k)

Financial Assistance Grants

Council usually receives half of the annual Financial Assistance Grant from the Federal Government (FA grant) in advance just prior to the end of each financial year (the timing of payment is at the discretion of the Australian Government). Depending on the quantum and timing of the annual indexation of the FA grant, the amount received in advance will move marginally each year, thereby impacting the amount expected to be received the following year.

A budget realignment is therefore required after taking into account the prepayment of part of this year's grant in June 2020 and the assumed pre-payment of part of next years grant in June 2021, totalling \$120k (an unfavourable budget decrease of \$120k).

Loan Interest Rebate

As part of the Tasmanian Government's economic stimulus package, Council agreed to access \$5m of loan funds to support Council Economic Recovery Program. A rebate of loan interest has been provided over the three-year repayment period. However, as the loan was not drawn down until mid-year, the full-year rebate allowed for in the budget will not be utilised (an unfavourable budget decrease of \$56k)

Reimbursement of 2018 flood damage

The final claim for reimbursement for repairs to Council assets damaged by the May 2018 flood event has been submitted. A budget realignment is required to reflect reimbursements received to date that were not included in the original budget (a favourable budget increase of \$48k).

26TEN program

This program has been funded on a year-by-year basis, however no funding will be received in the 2020/21 financial year, resulting in a budget realignment of \$47k (an unfavourable budget decrease of \$47k)

1.5 Investment Interest

Record low interest rates have resulted in a substantial reduction in the return Council is receiving on its cash investments.

The average rate across all of our investments at 30 November 2020 was just 0.44%, resulting in a budget realignment of \$118k (an unfavourable budget decrease of \$118k).

2. OPERATING EXPENDITURE

2.1 Employee Costs

To the end of December 2020, Council's Employee Benefits expenditure was materially in-line with budget (no budget change).

2.2 Administration and Office Costs

Land Tax

The land tax budget for 2020/21 made allowance for the sale of Council properties based on Council's disposal schedule. However, many of the sales flagged to occur this year may not eventuate, resulting in the anticipated land tax saving not being achieved (an unfavourable budget increase of \$56k).

Derwent Entertainment Centre

The delayed sale of the DEC resulted in Council continuing to pay outgoings and overheads that had not been budgeted for.

A budget realignment is required to cover the actual amounts paid up until the sale (an unfavourable budget increase of \$13k).

Tasmanian building and construction training levy

The rules of the levy require Council to pay an amount based on the value of works in its Roads and Stormwater capital works program. Due to an oversight, the 2019/20 levy was not paid, resulting in two years having to be paid in 2020/21 and a corresponding budget adjustment of \$18k (an unfavourable budget increase of \$18k).

2.3 Materials, Contractors and Other

Derwent Entertainment Centre

The delayed sale of the Derwent Entertainment Centre resulted in Council continuing to perform critical maintenance.

A budget realignment is required to cover the actual amounts paid up until the sale (an unfavourable budget increase of \$6k).

2.4 Depreciation and Amortisation

The original budget was predicated on asset valuations in place at the time the 2020/21 budget was adopted.

Subsequently, asset valuations have changed due to audit requirements, correction of anomalies, reinterpretation of accounting standards and the reclassification of assets. The net budget realignment between all asset classifications is an additional \$201k expense (an unfavourable budget increase of \$201k).

3. STATEMENT OF FINANCIAL POSITION

The revised budget does not materially alter the Statement of Financial Position presented to Council in the budget papers on 31 August 2020.

4. CAPITAL EXPENDITURE

In the November 2020 Financial Performance Report presented to the Council meeting on 21 December 2020, the progress of grant-funded sporting and recreation projects was discussed. The indication was that much of the allocated budget would not be utilised this year and would be carried forward into next year's capital works program.

The specific projects are:

- Giblins Reserve Playspace
- Montrose Foreshore Playspace
- Montrose Foreshore skatepark
- Eady Street amenity building
- KGV soccer facility
- North Chigwell oval clubrooms.

As a result, the proposed reduction in budgeted expenditure is \$4.148m as detailed in Table 3.

Table 3 – Capital Expenditure by Program

GLENORCHY CITY COUNCIL CAPITAL WORKS PROGRAM 2020/2021			
	August Revised Budget 2020/2021 \$'000	January Revised Budget 2020/2021 \$'000	Budget Movement
Transport Network Program	8,058	8,058	0
Stormwater Program	1,390	1,390	0
Property and Environment Program	2,610	2,610	0
Fleet and Plant Program	685	685	0
ICT Program	845	845	0
Australian Government Grant Program	4,708	560	(4,148)
Economic Recovery Program	3,420	3,420	0
Total Capital Works Program	21,716	17,569	(4,148)

5. CASH FLOW

The proposed budget changes are expected to improve Council's cash position from an estimated cash hold at the end of June 2021 of \$10.4m to a revised holding of \$15.8m. This is a combination of the improved operating budget position of \$1.3m and the deferral of capital expenditure of \$4.1m.

6. LONG-TERM FINANCIAL MANAGEMENT PLAN

The revised budget does not materially alter the Long-Term Financial Management Plan presented to Council in the budget papers on 19 June 2020.

7. STATUTORY CONSIDERATIONS

Under section 82(4) of the *Local Government Act 1993*, Council can approve alterations to any of the budget estimates set out in section 82(2) of the Act, by absolute majority.

The overall effect of the review of the budget set out above is that the following estimates will be altered for the 2020/21 financial year:

- the estimated revenue of Council would increase by \$1,343,725 to \$56,319,940 (s. 82(2)(a) of the Act), and
- the estimated expenditure of Council will increase by \$295,805 to \$63,999,643 (s. 82(2)(b) of the Act), and
- the estimated capital works of the Council would decrease by \$4,147,456 (s.82(2)(d) of the Act) to \$17,569,447.

If Council is to adopt the recommendations in this report, it must be by an absolute majority of Aldermen (which is 6 votes in favour).

8. SUMMARY

The 2020/21 budget papers presented to Council on 19 June 2020 foreshadowed that revisions would be presented in August 2020 and January 2021.

As a result, the revised budget proposed in this report contains changes based on information not previously available at the time the original budget was prepared. The operating budget bottom-line would be improved by \$1.04m if the changes were adopted.

Consultations:

Aldermen
Executive Leadership Team
Managers and Coordinators
Finance staff

Human Resource / Financial and Risk Management Implications:

Human resources

Officers have prepared and will implement the revised budget as part of their ordinary duties.

Financial

Financial implications of the revised Budget are outlined in detail in the report.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Severe (C5)	Unlikely (L1)	Notable	Budget and LTFMP formally reviewed during the year. Prudent debt management and consistent monitoring of financial conditions enabling an appropriate response. LTFMP reviewed annually and adjustments made in future budgets to account for any unforeseen events. The current LTFMP forecasts ongoing modest rate increases, generally in line with CPI.
Ongoing substantial budget deficits leading to depleted cash reserves as a result of changes to economic conditions or other unforeseen events, leads to a loss of financial sustainability or the need to borrow or increase rates above community expectations.				
Further economic changes result in estimates that are not materially accurate, leading to a need to revise estimates either up or down during the year.	Minor (C2)	Possible (L3)	Moderate	Completion of the commitment to Council that an updated 2020/21 budget and estimates will be presented in August 2020 and January 2021.
Suppliers, contractors and service providers are unable to provide goods and services or at competitive prices.	Minor (C2)	Possible (L3)	Moderate	Robust procurements to engage with a broad range of potential suppliers and service providers to minimise dependencies.
Damage to Council infrastructure from unpredictable events resulting in significant costs to repair or replace.	Major (C4)	Unlikely (L2)	Moderate	Limited insurance coverage in place for some events with Council accepting risk of a significant event where other financial support is not made available (e.g. State Government).
Do not adopt the recommendation	Major (C4)	Likely (L4)	Significant	Consultation and integration of feedback received is part of the Annual Budget drafting process to make sure the final draft meets Aldermanic expectations.
An alternative or updated version of the Annual Budget would need to be developed and endorsed, resulting in reliance on the outdated August budget estimates.				

Community Consultation and Public Relations Implications:Community consultation

Council undertakes frequent community consultation on a range of projects and programs which helps inform any changes to its budgeted priorities for the year.

Public relations

Council will communicate the key information about changes to the Budget through its Facebook page, website and other channels.

Recommendation:

That Council:

APPROVE the alterations to Council's 2020/21 Budget estimates set out in Attachment 1, and specifically:

- (a) an increase in Council's estimated revenue of \$1.34m to \$56.32m
- (b) an increase in Council's estimated expenditure of \$0.29m to \$63.99m, and
- (c) a decrease in Council's estimate capital works of \$4.147m to \$17.569m.

Attachments/Annexures

1 Mid Year Budget Review



11. PETITION - MILL LANE CAR PARK

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

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality

Strategic or Annual Plan Reference:

Leading our community

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency.

Strategy 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To consider a petition presented to the General Manager and tabled at the Council meeting on 21 December 2020 relating to the potential sale of Council-owned land, being the Mill Lane Car Park in the Glenorchy CBD.

Proposal in Detail:

Background

On 14 December 2020, Council received a petition opposing the potential sale of a parcel of land Council land at Mill Lane, Glenorchy currently being used as car park containing 1,310 signatures (**the petition**). The petition was delivered by Janiece Bryan of Montrose on behalf of the Glenorchy Residents Action and Information Network (GRAIN) and was tabled at the Council meeting on 21 December 2020.

A copy of the petition is Attachment 1.

Council should note that on 19 January 2020 (the day before the publication of the Council agenda), Mrs Bryan delivered a new version of the petition to Council which contained an additional 834 signatures.

The new petition will be tabled at the Council meeting.

In the meantime, however, for the avoidance of any doubt, the figures about the numbers of signatures that are reported below are only in relation to the version of the petition received on 14 December 2020 containing 1,310 signatures.

The petition

The subject of the Petition is as follows:

“Petition to Glenorchy City Council

We respectfully request that Council hold a public meeting

STOP SELLING our CAR PARK

(Regina/Barry St)”

The Petition relates to Council’s decision to conduct preliminary investigations into the potential disposal of a Council owned car park in the Glenorchy CBD made up of two separate titles, CT43661/1 and CT29803/5. The land is the area outlined in red below. Its official address is Mill Lane, Glenorchy, however it is situated on the corner of Barry and Regina Streets.



Council’s rationale for commencing the preliminary investigation was outlined in a report that was considered at the Council meeting on 28 September 2020. Council has not yet decided whether to commence the statutory process to dispose of this land and will consider this at a future Council meeting once its preliminary investigations are complete.

The petition requests that Council holds a public meeting about this potential disposal. Under section 59 of the *Local Government Act*, Council is required to hold a public meeting if the petition:

- complies with the requirements of section 57 of the Act (which it does), and
- is signed by the lesser of 5% of the electors in the municipal area or 1000 of those electors.

There are currently 33,194 electors for the Glenorchy Municipality, which includes electors on both the roll maintained by the Tasmanian Electoral Commission (33,126 electors), and the General Managers’ roll which is maintained under section 258 of the

Act (68 electors). Given that 5% of those electors would constitute 1,659 signatures, the threshold required to compel Council to conduct a public meeting is 1,000.

The petition contains 1,000 signatures, however this includes signatures which are either illegible, duplicated, or are from people who have given their address as outside the Glenorchy municipality or have not provided an address.

Council officers have conducted an exhaustive check of all the signatures on the petition to determine how many of the signatories are electors in the Glenorchy municipality, either on the Electoral Roll maintained by the TEC or the General Manager's Roll. Those checks have been made in consultation with the Tasmanian Electoral Commission to ensure that correct procedures have been followed. In conducting those checks, officers have adopted a fair and liberal approach to determining whether someone is on a roll, even where full address or name details have not been provided. For example, if the roll contained an entry for "J. Citizen" of "Berriedale" and there was any person with those initials living in Berriedale, that person would have been counted as an elector, even though their exact identity may not be able to be obtained. This approach ensured that the maximum number of signatures that could reasonably be identified as electors were included in the count.

The results of the count were that, of the 1,310 signatures on the petition, only **546 signatures** were identified able to be identified as electors in the Glenorchy municipal area. Other points to note about the signatories are:

- 366 signatories were from people who lived outside the municipality
- Of the signatures of people who lived outside the municipality, none listed on the General Manager's roll
- 12 signatories had signed the petition more than once
- 51 signatures (or their listed addresses) were not legible and were therefore not counted.

The number of signatories to the petition therefore falls short of the 1,000 required to require Council to hold a public meeting by 455 signatures.

Recommended action on the petition

Council's resolution made at its meeting on 20 September 2020 in relation to investigations of the potential sale was, relevantly:

"That Council:

...

2. *ENDORSE the commencement of investigations into the potential disposal and rezoning of Council owned land at Mill Lane, CT43661/1 and CT29803/5*
3. *AUTHORISE Council staff to undertake a community engagement process to identify any concerns about the potential disposal of the Land before commencing with the statutory processes for public land disposal and land rezoning, and*

4. *REQUIRE a further report to Council summarising the feedback received (and identifying any concerns) and seeking approval to proceed with the statutory processes for public land disposal and land rezoning for the Land."*

Council will therefore consider all feedback received in relation to the potential sale when the matter is returned to Council at a future meeting for a decision on whether to commence the statutory process to dispose of land.

While the presence of a petition does indicate that there is some concern in the community about the proposed sale, it should be noted that many of the concerns raised by the GRAIN group are either based on factually incorrect information or are able to be adequately addressed to alleviate those concerns.

Council officers are preparing a detailed report to Council on the results of the community engagement process that addresses any misconceptions about the proposed sale that are circulating and provides other relevant information to Aldermen.

The Petition does not propose any alternative course of action other than a public meeting (although it does not contain the number of signatures required to require a public meeting). Given that Council is undertaking investigations into any concerns in the community about the proposed sale and will consider these at future meeting, it is recommended that the action taken by Council in response to the petition is to make resolutions to the effect that the Petition and the concerns noted by its signatories are taken into consideration in any decision as to whether to commence the statutory disposal process. This is reflected in the recommendations to this report.

Council can, on its own motion, resolve to hold a public meeting despite not being legally required to (see section 60F of the Act). However, officers do not recommended that this occurs due to the considerable amount of financial and staff resources it would require, the likelihood that such a meeting would not produce any outcomes beneficial for either the public or Council, and the fact that doing so would set a precedent for future investigations which would consume considerable resources over time.

Consultations:

Mayor
General Manager
Manager Property Environment and Waste
Open Space Coordinator
Property Sales and Administration Officer

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications if the recommendations are adopted.

Human resources

There are no material human resources implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Dissatisfaction from signatories to the petition or others concerned that Council has not given due consideration to their concerns	Minor (C2)	Possible (L3)	Low	Council officers address signatories concerns in the future report to Council and continue to respond to and answer any inquiries about the investigations into the proposed disposal.
Do not adopt the recommendation Council would be in breach of its obligations under Part 6, Division 1 of the <i>Local Government Act 1993</i> .	Moderate (C3)	Possible (L3)	Medium	Council takes alternative action to the recommendations provided but seeks qualified advice as to the impact of any such action prior to making a resolution.

Recommendation:

That Council:

1. RECEIVE and NOTE the petition received on 14 December 2020 titled 'Stop Selling our Car Park' in relation to investigations by Council into the proposed sale of land at Mill Lane, Glenorchy (**the Petition**)
2. NOTE the concerns of the 1,310 signatories to the Petition and consider those concerns in any future consideration by Council of potential disposal of the land the subject of the petition.

Attachments/Annexures

- 1 Petition - Stop Selling Our Car Park



12. FINANCIAL PERFORMANCE REPORT TO 31 DECEMBER 2020

Author: Chief Financial Officer (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.

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

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

Proposal in Detail:

Council's Financial Performance Report (**Report**) for the period 1 July to 31 December 2020 is set out in Attachment 1.

The Report highlights that Council's year-to-date actual operating result is \$1.572m better than the budgeted position¹. The improvement on the budgeted position is the combined result of a \$677k increase in revenue and \$895k less in expenditure.

The forecast end-of-year operating result at 30 June 2021 is currently \$141k worse than the budgeted position at the date of the last budget review in August 2020, being the combined result of a \$679k increase in revenue and a \$820k increase in expenditure.

1. Operating result excludes capital revenue and net gain/(loss) on disposal of assets

Budget Update

At this meeting, Council will also consider the Mid-Year Budget Review report which incorporates revised Revenue and Expenditure estimates for the 2021/22 financial year.

If Council adopts the revised estimates, the forecasts detailed in this Financial Performance Report will alter.

Revenue

Revenue is \$677k or 1.3% above budget.

As detailed in previous monthly Financial Performance Reports, the following areas continue to contribute to the favourable result:

Planning application fees

New development within the municipality continues to generate additional planning application revenue, currently at \$163k. However, there is a commensurate demand on resourcing levels which incurs additional expenditure.

Property lease, licence and hire fees

The budget adopted by Council allowed for near zero revenue, however the subsequent re-opening of facilities has seen \$167k in unbudgeted revenue being received.

Operating grants

The net operating grant position is currently a favourable \$475k, primarily made up of:

- Childcare government subsidies being \$135k above budget
- A \$54k grant being received for the Full Gear motorcycle safety program
- The Glenorchy Jobs Hub project (phase 1) which has, to-date, received grant funding of \$231k with a further \$98k still to be received as milestone payments.

Expenditure

Expenditure is \$895k or 3.0% below budget.

Payments to suppliers

There is budgeted expenditure of around \$770k yet to be paid to some suppliers including Land Tax, Fleet Leasing and Fuel, Utility Charges and Waste Management. There is also a general underspend in payments for Contractors and Materials of around \$179k.

Expenditure on labour hire is currently \$298k over budget. This overspend was primarily incurred in the first quarter due to 12 Works Centre positions being vacant until September 2020, leading to the need to hire labour to fill the gap.

Employee costs

Employee costs are currently \$124k under budget, with a gradual trend towards meeting budget over the past few months.

Non-operating – Capital Revenue

Revenue is \$199k above budget.

National Blackspot Program funding has been received of \$34k for the Barossa Road/Nagle Place upgrade and \$115k for the Collinsvale Guardrail.

A progress payment of \$50k has been received from the Roads-to-Recovery program for the Howard Road reconstruction project.

Non-Operating – Net Gain/(Loss) on Disposal of Assets

Disposal of assets currently records a profit of \$682k.

Since the Financial Performance Report for November 2020 was presented to Council, discussions have been held with the Tasmanian Audit Office regarding the accounting treatment of the disposal of the Derwent Entertainment Centre.

The loss reported in the November Financial Performance Report has not changed (\$4.45m), however the revised disposal value and corresponding write down has now been included in the 2019/20 financial year accounts in accordance with the relevant accounting standards dealing with Assets Held for Sale.

The loss reported in the Statement of Comprehensive Income for November is now not reflected in December 2020.

Capital works

Council's year-to-date Capital Works expenditure is \$6.356m or 29% of the annual budget of \$21.717m. This result is substantially better than the year-to-date budget requirement of \$6.343m.

However, as foreshadowed in the November report, grant funded projects will not be completed this financial year resulting in a forecast result of \$17.387m at 30 June 2021.

COVID-19 response

For the year-to-date, a total of \$288k has been expended on COVID-19 risk mitigation measures.

The initial concentrated expenditure on new COVID-19 mitigation activities has tapered off as the immediate response to the pandemic moves to a more 'business as usual' and 'watch and act' focus.

However, recent interstate events do highlight that the COVID-19 pandemic is still very much active and Council must be prepared to quickly respond should the situation deteriorate.

Summary

Further information on Revenue, Expenditure, Capital Works and COVID-19 Response figures are in Attachment 1 of this report.

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 in Attachment 1.

As this report is for receiving and noting only, no risk management issues arise. Risks associated with Council's financial expenditure and sustainability were managed through the process for developing Council's annual budget and are monitored through ongoing reporting on Council's Strategic and Key Operational risk register.

Community Consultation and Public Relations Implications:

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

Recommendation:

That Council:

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

Attachments/Annexures

1 Attachment 1 - Financial Performance Report to 31 December 2020



13. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

Author: Manager Corporate Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Procurement

Community Plan Reference:

Leading our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long-term benefit of the community.

Strategic or Annual Plan Reference:

Leading our Community

Objective 4.1 Govern in the best interests of our community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Strategy 4.1.3 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 December 2020 to 12 January 2021 and to 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.*

For the period from 11 December 2020 to 12 January 2021, there were no exemptions to Council's Code for Tenders and Contracts.

Expenditure on External Legal Services

For the month of December 2020, the total amount spent on external legal services for all of Council was \$8240.00. This was comprised of \$6496.00 in relation to a rates collection matter and \$1744.00 in relation to a planning matter. Additionally, Council received \$7000.00 in court awarded legal fees in relation to a rates matter.

The above expenditures were provided for in Council's current 2020-2021 budget.

Consultations:

Executive Leadership Team
Senior Legal Counsel
Accounts Payable Supervisor

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

The report identifies \$8,240.00 in budgeted operational expenditure that has been approved during the reporting period.

Risk management

As this report is recommended for receiving and noting only, no risk management issues arise. Risks around procurement are monitored and reported on a continuous basis as part of standard processes and procedures.

Community Consultation and Public Relations Implications:

Community consultation was not required or undertaken. There are no material public relations implications.

Recommendation:

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 11 December 2020 to 12 January 2021.

Attachments/Annexures

Nil.

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

14.1 NOTICE OF MOTION - ALDERMAN DUNSBY: DISABILITY-INDICATED PARKING IN GLENORCHY CBD

Author: Executive Officer (Bryn Hannan)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Notices of Motion

At its meeting on 21 December 2020, Council resolved that this matter be deferred to the meeting to be held on 25 January 2021.

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 the time allocated for parking on disability-indicated spaces in the Glenorchy Central Business District be increased to a minimum of one hour.

That the times that the limitation applies on disability-indicated spaces mirrors that of regular parking in the area.

Rationale:

Disability-indicated parking that has been installed throughout the upgrade of the Glenorchy Central Business District is currently marked for 30-minute parking, and with no restrictive times that it is not in force, meaning it applies as a constant.

For some people who require use of such parking, much of that time is taken up with getting equipment (such as wheelchairs or other mobility aids) to and from the vehicle, leaving very little time to undertake their required activities (e.g. banking, medical, postal or shopping).

Regular parking in the area is for 15-minute duration, but has time limitations when it applies. These time limitations are not indicated on the disability designated signs, meaning that the 30-minute limit applies at all times and users are breaching the regulations for overstaying, even during the evening or on Sundays.

The inequity of this current situation appears to be in breach of the *Disability Discrimination Act 1992* and needs rectification.

Officers' Response

Overview

The current time limits that apply to accessible parking spaces in the Glenorchy CBD have been set to promote a turnover of accessible parking spaces and provide improved availability of these spaces for people who need to use them.

Parking surveys undertaken in the CBD project area (Barry St to Terry St) showed that over 70% of vehicles stayed for less than 15-minutes, meaning there is a high turnover of parking on Main Road in the CBD. The time limitations that have been imposed for both accessible and non-accessible spaces along Main Road are intended to maintain this pattern of use and ensure that appropriate numbers of spaces are available in peak and non-peak periods. This is particularly important for the on-street accessible parking spaces, given that there are (currently) only four of these along Main Road in the CBD.

There are, however, 45 accessible parking spaces in the Glenorchy commercial precinct and a further one accessible space in Cooper Street, which can accommodate longer-term parking.

The limited number of accessible spaces is also the reason why the time restriction on the dedicated accessible spaces remains in place. Removing that restriction would mean that a person displaying an accessible parking permit could lawfully park in one of the four accessible parking spaces on Main Road in the CBD for long periods when the time restrictions did not apply, which would impact overall availability.

Further specific comments from Council officers are provided for Council's information and consideration, below:

Engineering comments (Traffic Engineer / Manager, Infrastructure Engineering and Design)

Prior to the completion of the initial stages of the Glenorchy CBD Revitalisation project there were no accessible parking spaces within the Main Road area. As part of the CBD works, Council officers recognised the need for more accessible spaces and introduced four designated accessible parking spaces with levelled footpath access to the Glenorchy CBD area.

Similar to the other 15-minute parking spaces along Main Road CBD, applying a 30-minute time restriction to these accessible spaces is intended to cater for people who need short-term stays to drop off, pick up, access an ATM etc. This allows a higher turnover of parking and subsequently increases the supply of parking in the area, which in-turn provides more opportunities to those who need them the most and fair access to accessible parking permit holders.

The 30-minute accessible parking was chosen in-line with the Tasmanian Road Rules which provide that if the time limit in a parking area is less than 30 minutes, then a 30 minute time limit will apply for someone displaying an accessible permit. This means that people with an accessible permit can park for 30 minutes in both an accessible parking space or a non-accessible parking space. Accessible permit holders can also use non-accessible parking spaces where there is no limit on Saturdays after 12 noon and all day on Sundays.

There is longer term parking in the surrounding streets and carpark for those who come to Glenorchy for longer periods (for example, grocery shopping or lunch).

Council officers will review the usage of the Main Road parking spaces, including the accessible spaces, as part of Council's regular parking survey program and will adjust the time restrictions if needed.

Parking Compliance comments (Senior Parking Officer)

Parking Compliance has no issue in-principle with the changes in the proposed motion and will continue to monitor and, where necessary, enforce parking restrictions as signed.

Officers note, however, that signage indicating that accessible parking spaces are limited to 1 hour during business hours but unlimited at all other times (but remaining as accessible-only spaces) has the potential to be confusing to other motorists. This should be a consideration if the motion is adopted and signage is designed.

Accessibility comments (Community Development Officer - Access and Inclusion)

The issue raised in the motion has been a concern for the members of Council's Access Advisory Committee.

The Committee provided feedback about the availability of accessible parking as part of the consultation around Council's Parking Strategy and has also been consulted and had regular inputs into accessibility considerations for the CBD Revitalisation project.

The Committee concurs with Ald. Dunsby's reasoning that people with a range of disabilities require more than 30 minutes to park and carry out their activities in the Glenorchy CBD area, and that a 1-hour time limit would be more appropriate. The Committee also shares Ald. Dunsby's concern that it may be discriminatory for the time restriction to continue to apply to accessible parking spaces during times that no limit applies to non-accessible spaces in this area.

Attachments/Annexures

Nil.

CLOSED TO MEMBERS OF THE PUBLIC

15. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council meeting (closed meeting) held on 21 December 2020 be confirmed.

16. APPLICATIONS FOR LEAVE OF ABSENCE

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