

Minutes of the Meeting of the Glenorchy City Council held at the Council Chambers on Monday, 26 April 2021 at 6.00pm



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

Present (in Chambers): Aldermen Bec Thomas (Acting Mayor), Peter Bull, Melissa Carlton, Simon Fraser, Steven King, and Gaye Richardson

Present (by video link): Aldermen Jan Dunsby and Kelly Sims

In attendance (in Chambers): Tony McMullen (General Manager), Jenny Richardson (Director Corporate Services), David Ronaldson (Director Community and Customer Services), Sam Fox (Director Strategy and Development, Emilio Reale (Director Infrastructure and Works), Bryn Hannan (Executive Officer), Tina House (Chief Financial Officer), Tracey Ehrlich (Manager Corporate Governance), Allison Coombe (Acting Manager Property and Environment), Marian Maclachlan (Executive Assistant to the General Manager)

In attendance (by video link): Kate Whitbread (Child Care Delivery Coordinator), Frank Chen (Manager Infrastructure, Engineering and Design)

Leave of Absence: Alderman Kristie Johnston (Mayor)

Workshops held since last Council Meeting

Date: **Date:** Monday, 29 March

Purpose: To discuss:

- Budget Workshop No. 5 – Budget and Annual Plan

Date: Monday, 12 April 2021

Purpose: To discuss:

- Governance policies update
- Glenorchy Committees Structure

Date: Tuesday, 19 April 2021

Purpose: To discuss:

- Audit Panel meet and greet

The peak number of viewers watching the live stream of the meeting on Facebook was 31 viewers.

The Chair opened the meeting at 6.06 pm.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal Community as the original and traditional owners and continuing custodians of the land and their elders, past, present and emerging.

1. APOLOGIES

Alderman Ryan.

2. CONFIRMATION OF MINUTES

Resolution:

RICHARDSON/BULL

That the minutes of the Council meeting held on Monday, 29 March 2021 be confirmed.

That the minutes of the Special Council meeting held on Monday, 19 April 2021 be confirmed.

The motion was put.

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

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

None.

4. PECUNIARY INTEREST NOTIFICATION

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

No interests were declared.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

6. PUBLIC QUESTION TIME (15 MINUTES)

**Questions on notice – Bob Holderness-Roddam
(received 6 April 2021)**

Q: A local couple have asked me why access to the Shoobridge Park sports oval is not permitted. The male has a back problem, and he sometimes finds it hard to walk on the rougher ground outside the oval. Could Council please make a statement clearing up this access issue?

A: Turf cricket wickets have a high standard in terms of their use and associated maintenance. These wickets are often watered during preparation and any foot/paw traffic can damage the surface.

It is important to keep members of the public, especially dogs, off the wickets during preparation and therefore these wickets are often locked.

In addition, given the large amount of rabbits (hundreds) in the area that dig holes in the outfield surface, Council has invested significant amounts into fencing improvements to prevent rabbits from entering the playing area and to prevent safety issues for players from rabbit holes.

After receiving the Questions on Notice, Council turf crew has been instructed to remove the lock from the gate during the cricket off-season to allow general access. However, it is important to note that any visitors to the turf wickets need keep the gate closed at all times after passing through it. Council officers

will monitor the situation and may take further actions if any unreasonable damage to the surface occurs.

Questions on notice – Eddy Steenberg, Marys Hope Road, Rosetta (received 12 April 2021)

At the recent 2021 GCC AGM the Mayor said in an answer to a question by a member of the public about the Tolosa Park Reservoir that "We have been working very closely with Taswater to ensure that we get a good outcome for the community first and foremost, and part of that has been the commissioning of design work in conjunction with Taswater that has [??] commenced already. We have consultants who are working through that at the moment. I understand Inspiring Place have been engaged to do that particular work and we look forward to the outcome of that." I'm interested in the project mentioned in her answer and would like some more information about it.

- Q1. Is a design project in fact currently under way?**
- Q2. Was the company Inspiring Place in fact engaged as consultants to undertake the project? If not then who?**
- Q3. Was a public tender used to select the consultants?**
- Q4. What was the brief given to the consultants?**
- Q5. What are the key deliverables of the project and when does Council expect to receive them?**
- Q6. What percentage of the project budget is Council committed to providing?**

The Mayor also made very clear that Tolosa Park Reservoir is an asset of Taswater, and it is therefore Taswater's responsibility to "decommission" it.

- Q7. It is not clear to me what the Mayor means by "decommission". Does she mean "remediate"? i.e. revert the land to pre-existing vegetation/landscape? Does she mean make the land "development-ready" (as Council has very generously committed to do for the ex-Berriedale Caravan Park for MONA)? Does she mean "make safe for public use"? If none of these then what did she mean by the term?**
- A. Answers to these questions are being finalised and will be provided to Mr Steenberg in writing as soon as possible.**

**Question on notice – Janiece Bryan, Montrose
(received 20 April 2021)**

Q. Could Council please explain why the Mill Lane/Barry/Regina St Car Park Petition wasn't compliant with the *Local Government Act 1993* as stated by the Aldermen at the Council Meeting on 25th January 2021? Why was it stated that "the petition may or may not be correct"? The format of the petition was based on previous advice obtained from the Director of Local Government.

A. The Council report to the 25 January 2021 meeting states that the petition complies with the requirements of section 57 of the Act. Council therefore considered and accepted the petition on the basis that it was compliant.

The reason for the recommendation that Council does not stop investigations around selling the land or hold a public meeting about it are explained clearly in the report. Nowhere in the report does it state that recommendations were made because the petition was not compliant with the Act.

Q. Who provided the advice regarding compliance or non-compliance of the petition to the Aldermen prior to the vote on Agenda Item 11 – Petition Mill Lane Car Park?

A. The advice about the compliance status of the petition was provided in the Council officers' report, on which the authorship is clearly stated.

Q. Why have questions regarding the numerous errors in Agenda Item 11 not been answered?

A. Council's Acting General Manager (at the time) provided a written response to your letter dated 21 January 2021 in which you alleged that incorrect information had been published in item 11 on the agenda for the 25 January 2021 Council meeting.

The Acting General Manager's response advised that your concerns had been brought to the attention of the Mayor so she was fully informed of them prior to the meeting. For the avoidance of doubt, we do not consider that the report to Council contains any incorrect information nor that any corrections to the agenda or the public record are required.

To ensure your concerns are addressed, officers will prepare a brief response to your letter answering your specific questions in relation to Item 11.

**Questions on notice – Janine Foley, Chigwell
(received 20 April 2021)**

Ms. Foley submitted a list of questions which have been included as **Attachment 1** to this agenda. Answers to questions for which sufficient detail has been provided will be given at a future Council meeting.

**Questions on notice – Bob Holderness-Roddam, Austins Ferry
(received 23 April 2021)**

With reference to the traffic counter set up on Main Road, Austins Ferry, outside no. 155, earlier this year.

Q1 What did this counter reveal, and

Q2 What are the implications for future works on the road, including the installation of a pedestrian refuge?

A: The traffic counter installed near the house located at 155 Main Road (north of Merley Road) between 4 November to 25 November 2020 suggested a Mean speed of 54.9km/h and 85th percentile speed of 59.9km/h. The average daily traffic is 5,599 vehicle per day.

Based on the information above, it is concluded that the current traffic condition near your property is in line with the function and the speed limit (60km/h) of the road, and therefore no infrastructure upgrade is warranted at this stage.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

Community Goal: "Making Lives Better"

8. ANNOUNCEMENTS BY THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

To receive an update on the recent activities undertaken by the Acting Mayor.

Resolution:

BULL/KING

That Council:

RECEIVE the announcements about the activities of Acting Mayor Thomas during the period from Friday, 9 April to Monday, 19 April 2021.

The motion was put

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

AGAINST:

The motion was CARRIED

GOVERNANCE

Community Goal: “Leading our Community”

9. RESCISSION OF HISTORICAL COMMITTEES AND WORKING GROUPS

File Reference: Committees

Reporting Brief:

To seek Council’s approval to formally close committees and working groups that are no longer meeting or have been superseded by an alternative committee or working group.

Resolution:

RICHARDSON/FRASER

That Council:

1. RESCIND the Glenorchy Tracks, Trails and Cycleways s. 24 Special Committee,
2. RESCIND the Glenorchy City Concert Brass s. 24 Special Committee,
3. RESCIND the Cultural Diversity Advisory s.24 Special Committee,
4. RESCIND the Glenorchy Citizen and Young Citizen of the Year, s. 24 Special Committee, and
5. RESCIND the following committees for clarity and transparency in the Committees and Working Groups Register:
 - a) Brooker Highway Beautification Steering Committee
 - b) Wilkinsons Point / Elwick Bay Master Plan Steering Committee
 - c) Tolosa Park Master Plan Steering Committee
 - d) CBD Revitalisation Master Plan Steering Committee
 - e) Berriedale Peninsula Master Plan Steering Committee
 - f) Glenorchy Recreation Ground (Eady St) Master Plan Steering Committee, and
 - g) 150 Years Glenorchy Working Group

The motion was put.

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

AGAINST:

The motion was CARRIED.

10. PETITION - MILL LANE CAR PARK

File Reference: Petitions

Reporting Brief:

To consider a petition presented to the General Manager and tabled at the Council meeting on 29 March 2021 relating to the potential sale of Council-owned land, being the Mill Lane Car Park in the Glenorchy CBD.

Resolution:

KING/BULL

That Council:

1. RECEIVE and NOTE the petition received on 23 March 2021 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 that the number of signatories to the petition who are Glenorchy electors is insufficient to require Council to hold a public meeting under s. 59 of the *Local Government Act 1993*, and
3. NOTE that a decision on whether to dispose of the land the subject of the petition will be formally considered by Council at a future meeting.

The motion was put.

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

AGAINST:

The motion was CARRIED.

11. INFORMATION DISCLOSURE POLICY

File Reference: Council Policies

Reporting Brief:

To present a new Information Disclosure Policy to Council for adoption.

Resolution:

RICHARDSON/FRASER

That Council:

ADOPT the Information Disclosure Policy in the form of Attachment 1.

The motion was put.

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

AGAINST:

The motion was CARRIED.

12. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

File Reference: Child Care Connections

Reporting Brief:

To recommend that Council adopts three (3) updated Child Care Connections policies and procedures.

Resolution:

RICHARDSON/FRASER

That Council:

1. ADOPT the following revised Child Care Connections policies and procedures:
 - (a) Educational Program and Practice Policy ([Attachment 4](#))
 - (b) Risk Management / Workplace Health and Safety ([Attachment 5](#)) and
 - (c) Media Policy ([Attachment 6](#))
2. NOTE that the changed policies will be appropriately communicated to all relevant parents and carers as required under regulation 172 of the *Education and Care Services National Regulations*.

The motion was put.

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

AGAINST:

The motion was CARRIED.

13. QUARTERLY REPORT - QUARTER 3 2020/21

File Reference: Corporate Reporting

Reporting Brief:

To provide Council with the Quarterly Report for the quarter ending 31 March 2021.

Resolution:

FRASER/BULL

That Council:

RECEIVE and NOTE Council's Quarterly Report and Quarterly Annual Plan Progress Report for the quarter ending 31 March 2021.

The motion was put.

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

AGAINST:

The motion was CARRIED.

14. PROCUREMENT AND CONTRACTS - MONTHLY REPORT

File Reference: Procurement

Reporting Brief:

To inform Council of exemptions that have been applied to procurements under Council's Code for Tenders and Contracts for the period 16 March to 12 April 2021 and provide updates on other relevant procurement matters.

Resolution:

BULL/RICHARDSON

Resolution:

That Council:

RECEIVE and NOTE the Procurement and Contracts Monthly Report for the period from 16 March to 12 April 2021.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

Alderman Fraser – Service providers doing sub-standard work on Council assets

Recently, TasWater completed sub-standard work near my home to repair a leaking pipe, however the footpath which they had to dig up/cut was not repaired properly and the new footpath which Council had recently laid was comprised. After calling, TasWater inspected the work and recognized the work was sub-standard and fixed it to the correct level of repair. However, I note that had I not complained the issue would be unlikely to be fixed.

Q: How many complaints do we receive about TasWater's sub-standard repair work to Council assets, and is there anything Council can do to make TasWater and other service providers more accountable in fixing/repairing Council assets?

A: [General Manager] We have a number of services which reside under our assets, so it is not about a single service provider but how we can work with all service providers to ensure the integrity of our assets.

[Director Infrastructure and Works] Permits are issued to service providers conducting work on Council assets. If a footpath is less than two years old, the repair work has to be made to the standard level as the existing path, but it is hard to track at times especially if sub-contractors or sub/sub-contractors conduct the work on behalf of the provider. If there is any work that people identify as being substandard, I suggest they report it to us and we will inspect it and raise it with the service providers if necessary.

We do have a full-time compliance officer who follows up on sub-standard work. We encourage the public and Aldermen to report to Council any sub-standard work to enable us to follow it up with the service provider and arrange for it to be corrected.

Q: Is there a service level agreement in place with Service providers specifying what the acceptable standards are for repair work?

A: [Director Infrastructure and Works] Those standards do exist, but we still need to inspect the works to ensure they comply.

Alderman King – follow on from Alderman Fraser’s question

Q: Can we implement within the service agreement a requirement that the provider must supply photos back to Council on any work they have conducted on Councils assets for sign-off and approval?

A: [Director Infrastructure and Works] We will look at our Road Opening Permits to see if there are any improvements that can be made to allow for this or other compliance requirements.

Alderman Dunsby – Questions raised in Minutes

Q: I note that in the answers to one of the public questions that was taken on notice, it states that an answer will be provided in writing. Can we please be assured that this and all answers to questions that are raised in the Agenda will be shown in the Minutes.

A: [Executive Officer] Yes, any written answers to this question will be published in the meeting papers. Questions raised in the Agenda that cannot be answered at that point in time, are answered and shown in the agenda for the following Council meeting.

Resolution:

KING/BULL

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

The meeting was closed to the public and the live stream on Facebook ceased at 6.53pm.

CLOSED TO MEMBERS OF THE PUBLIC

The meeting resumed at 6.54 pm.

16. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

CARLTON/BULL

That the minutes of the Council meeting (closed meeting) held on Monday, 29 March 2021 be confirmed.

The motion was put.

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

AGAINST:

The motion was CARRIED.

17. APPLICATIONS FOR LEAVE OF ABSENCE

None.

GOVERNANCE

Community Goal: “Leading our Community”

18. PURCHASE OF LAND AT 7 PELTRO STREET, GLENORCHY

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business) and (2)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal) and (2)(f) (Proposals for the Council to acquire land or an interest in land or for the disposal of land).

19. CONTRACT NO. 0825 - GLENORCHY JOBS HUB

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business) and (2)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal).

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

Resolution:

BULL/FRASER

That Council move back into open Council.

The motion was put.

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

AGAINST:

The motion was CARRIED.

The Chair closed the meeting at 7:17 pm.

Confirmed,

CHAIR