

**COUNCIL MEETING
AGENDA
MONDAY, 26 JULY 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
21 July 2021

Version 1.1 - Re-published 26 July 2021

Hour: 6.00pm

Present (by video link):

In attendance (by video link):

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 28 June 2021

Purpose: To discuss:

- Citywide Flood Study result

Date: Monday, 5 July 2021

Purpose: To discuss:

- Aldermanic discussion

Date: Monday, 12 July 2021

Purpose: To discuss:

- Tasmanian Police COVID activities update

Date: Monday, 19 July 2021

Purpose: To discuss:

- Tolosa Master Plan Review
- Showcase Moonah Evaluation
- Ambulance Tasmania proposal

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Special Council meeting held on 21 June 2021 be confirmed.

That the minutes of the Council meeting held on 28 June 2021 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, 128 Marys Hope Road, Rosetta (submitted 4 July 2021)

My questions relate to the intersection of the Brooker Highway and Duncan Street and Foreshore Road. Council has already committed to constructing a skateboard facility and the Glenorchy Playspace close to the intersection. Many regard the intersection as dangerous, an accident waiting to happen. On one corner is Montrose Bay High School and the attendant staff, student and parent traffic. On another corner is the soon to be upgraded community park with a car park to be doubled in size. On another corner is light industry including bus, logistics, and other transport services. Cars, trucks of all sizes, and buses regularly cross the intersection from every direction. The intersection is the only cross-road on the entire Brooker Highway without a roundabout or traffic lights. This is unacceptable.

Q1. Does Council acknowledge the increased danger resulting from the upgraded community park and increased traffic volumes?

A: Council acknowledges the Brooker Highway crossing at this intersection is potentially dangerous, and that any increase in traffic using the crossing is likely to exacerbate any danger. However, Council would not proceed with any construction work on the proposed Playspace until all reasonable measures to adequately mitigate any increased risk had been investigated and/or implemented.

Q2. What has Council done to mitigate current danger or future increased danger?

A: The Brooker Highway is a State Highway which is owned and managed by the Tasmanian Government. Council has raised the intersection safety concerns with the Tasmanian Government on many occasions and will continue to lobby for safety improvements.

Q3. Has Council considered nominating the intersection for the Australian Government Black Spot Program? If not, why not?

A: Because the Brooker Highway is a State Highway, Council is not eligible to nominate it for a Black Spot project (the rules of the program mean Council can only nominate roads which it owns and manages under this program). The Tasmanian Government would be required to nominate it for Black Spot or other funding as appropriate. Council would support application lodged by the Tasmanian Government for funding to improve safety at this intersection.

Q4. Has Council lobbied the state government to nominate the intersection for the Australian Government Black Spot Program? If not, why not?

A: Council has raised the issue of safety at this intersection with the Tasmanian Government on numerous occasions and will continue to do so. Council has not formally requested that the State Government lodge a Black Spot Program application, however it is likely that this has been discussed informally at the officer level.

Q5. Did Council consider making traffic in the expanded PlaySpace car park one-way, utilising a new exit at the southern end? If not, why not?

A: The State government does not allow any new vehicle accesses onto the Brooker Highway, so this option was not considered.

7. PETITIONS/DEPUTATIONS

COMMUNITY

Community Goal: “Making Lives Better”

8. ANNOUNCEMENTS BY THE MAYOR

Author: Acting Mayor (Ald. Bec Thomas)

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 Acting Mayor.

Proposal in Detail:

The following is a list of events and external meetings attended by Acting Mayor Thomas during the period Tuesday, 22 June to Monday, 19 July 2021.

Tuesday 22 June 2021

- Lunch at the Golden Years Club
- Met artist and viewed exhibition at the Moonah Arts Centre
- Attended meeting of residents in Mary’s Hope Road/Dooleys Avenue re black spot funded road works

Wednesday 23 June 2021

- Attended announcement of 600 fee-free places in Certificate III in Individual Support at Work and Training Tasmania
- Met with *Your Church* in Moonah
- Met with a resident in relation to rock wall in Connewarre Bay and vacant properties in landslip area in Casuarina Crescent

Thursday 24 June 2021

- Met with Inspector John Ward of Glenorchy Police re CBD safety
- Lunch at Karadi Aboriginal Neighbourhood House
- Chaired Glenorchy Jobs Hub Reference Group meeting

Sunday 27 June 2021

- Attended the Collinsvale Market

Monday 28 June 2021

- Attended launch of the Claremont College Drysdale Campus
- Chaired a Council workshop
- Chaired the Council meeting

Monday 29 June 2021

- ABC breakfast radio interview re outcomes of council meeting

Wednesday 30 June 2021

- Participated in LGAT Annual General Meeting and General Management Committee meetings
- Attended Showcase Moonah closing celebration event

Thursday 1 July 2021

- ABC breakfast radio interview re COMA
- Lunch at Goodwood Community Centre
- Visited St Theresa's Catholic School Grade 5 class

Friday 2 July 2021

- Met with Minister Petrusma, Greens Leader Cassy O'Connor, Lord Mayor Anna Reynolds, Commissioner for Children Leanne McLean, Police Commissioner Darren Hine and others regarding – youth crime in Greater Hobart

Saturday 3 July 2021

- Attended Glenorchy Past Players Association 1986 reserves reunion event

Sunday 4 July 2021

- Met with a resident re footpath works

Monday 5 July 2021

- Chaired the Safer Communities Advisory Committee meeting
- Chaired a Council workshop
- Attended Colony 47 Stakeholder event

Tuesday 6 July 2021

- Attended Moonah Rotary Club meeting
- Met with resident about the Glenorchy History Group
- Attended the Glenorchy Youth Taskforce meeting to discuss CBD safety

Wednesday 7 July 2021

- Attended Tasmanian Tourism Council and Property Council of Tasmania lunch at Tattersall's Park
- Attended Confederation of Greater Hobart Business Alliance event

Monday 12 July 2021

- Chaired a Council workshop
- Chaired the Glenorchy Planning Authority meeting

Tuesday 13 July 2021

- Met with resident about stormwater issues
- Chaired a Healthy Communities Advisory Committee meeting

Wednesday 14 July 2021

- Attended LGAT General Management Committee Meeting at Oatlands

Friday 16 July 2021

- Met with Matt Bulkley, CEO of Football Tasmania

Monday 19 July 2021

- Chaired a Council workshop

In addition to the above meetings and events, the Acting 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.

Recommendation:

That Council:

RECEIVE the announcements about the activities of Acting Mayor Thomas during the period from Tuesday, 22 June to Monday, 19 July 2021.

Attachments/Annexures

Nil.

9. OUTCOME OF 2021 MAYOR AND ALDERMAN BY-ELECTIONS

Author: Executive Officer (Bryn Hannan)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: 2021 By-Election

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 4.1.2 Manage the City's assets soundly for the long-term benefit of the community.

Objective 4.3 Build strong relationships to deliver our communities' goals

Strategy 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes

Reporting Brief:

To report on the outcome of the by-elections held in June and July 2021 to fill the vacant Mayor and Alderman positions on Glenorchy City Council.

Proposal in Detail:

Following the election of former Mayor Kristie Johnston to State Parliament as the Independent Member for the seat of Clark, Mayor Johnston formally resigned as the Mayor and an Alderman of Glenorchy City Council on 14 May 2021.

Former Mayor Johnston's resignation created vacancies for her positions as both Mayor and Alderman were created.

Because the vacancies occurred more than 6 months before the next scheduled local government elections, the vacancies were required to be filled in through by-elections.

The Tasmanian Electoral Commission (TEC) conducted the two by-elections concurrently. The elections were also held concurrently with Mayoral and Aldermanic elections for Kingborough Council and a Mayoral election for West Coast Council.

The timeline of for the Glenorchy by-elections was as follows:

Notice of election issued	5 June 2021
Candidate nominations opened	9 am, 7 June 2021
Electoral roll closed	6 pm, 10 June 2021
Candidate nominations closed	12 noon, 16 June 2021
Candidates announced	12 noon, 17 June
Ballot material delivered to electors	22 to 25 June
Polling period for postal voting	29 June to 2 pm, 20 July 2021
Commencement of counting	21 July 2021
Results announced	21 July 2021
Certificate of Election issued	21 July 2021

Candidates

Candidate nominations were announced on 17 June 2021.

There were three nominations for the position of Mayor:

- Bec Thomas (current Alderman and Deputy Mayor)
- Kelly Sims (current Alderman)
- Sue Hickey

There were five nomination for the vacant Alderman position

- Sue Hickey
- Russell Yaxley
- Michael Hangan
- Harry Quick
- Shane Alderton

Election Results

The polling period for the election, which was conducted by postal vote, closed at 2:00 pm on 20 July 2021.

Counting of the votes commenced at 9:00am on 21 July 2021. Late on the afternoon of 21 July 2021, the Tasmanian Electoral Commission announced that:

- Bec Thomas was elected as Mayor
- Sue Hickey was elected as Alderman

The TEC issued its Certificate of Election under the *Local Government Act 1993 (the Act)* on 21 July 2021, with the Certificate provided to Council on 22 July 2021.

A copy of the Certificate of Election is Attachment 1. Copies of the final results of the vote count are Attachment 2.

Declarations of Office

Under section 321 of the Act, a person elected as a councillor (Alderman) is required to take a declaration of office in the prescribed manner before they can act in that role. Council is required to acknowledge the making of a declaration of office at its meeting and record it in the minutes.

Alderman Sue Hickey made her declaration of office on Thursday, 22 July 2021.

Mayor Bec Thomas made her declaration of office on Friday, 23 July 2021.

Recommendation

That Council:

1. NOTE the results of the 2021 Glenorchy By-Elections, as published in the Certificate of Election (Attachment 1), and
2. ACKNOWLEDGE the making of the respective declarations of office under section 321(3) of the *Local Government Act 1993* of:
 - a) Mayor Bec Thomas on 23 July 2021, and
 - b) Alderman Sue Hickey on 22 July 2021.

Attachments/Annexures

1. Certificate of Election
2. Results of Vote Count

10. INVESTIGATION INTO THE DISPOSAL OF COUNCIL LAND 137 HOWARD ROAD, GOODWOOD (GOODWOOD PARK)

Author: Acting Open Space Coordinator (Jasmine Young)

Qualified Person: Director of Infrastructure and Works (Emilio Reale)

ECM File Reference: Disposal of Council Land 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

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community

Objective 4.2 Prioritise resources to achieve our communities' goals

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

Reporting Brief:

To recommend that Council commences investigations into the potential disposal of Council land at 137 Howard Road, Goodwood.

Proposal in Detail:

Expression of Interest from Department of Health and Human Services

The Department of Health and Human Services (**DHHS**) has approached Council with an interest in developing its new Ambulance Station for the northern suburbs on the western portion of 137 Howard Road, Goodwood (see Figure 1)([Attachment 1](#)). For the purposes of this report, this property will be referred to as **the Land**.

Some important points to note about the Land are as follows:

- the land is known as Goodwood Park
- Council currently has a holding-over lease agreement with the Model Makers and Collectors Club (**the Club**) for all of the land
- Goodwood Park contains a sealed tarmac surface for model racing and a small hall
- the land is zoned as Recreation under Council's planning scheme
- the draft Marine and Innovation Master Plan identifies Goodwood Park as an opportunity for development.

In 2015, Council's Open Space Strategy recognised that Goodwood Park could be developed for greater access to social and family recreation opportunities and provides open space for tree planting. There are 12 other parcels of open space nearby including Giblin's Reserve, Prince of Wales Bay, Dowsing Point Reserve and Rothesay Circle Reserve.

The proposal from DHHS is that the Ambulance station would occupy the western part of the reserve currently occupied by the Club. DHHS would facilitate the relocation of the Club, including the sealed track, to the remainder of the reserve on the Eastern side abutting Innovation Drive, as indicated below in Figure 1.

Representatives from DHHS recently met with Council officers and the Club to outline the proposal. The club was given an opportunity as part of that consultation process to provide an overview of its future needs. The Club expressed a desire for a long-term lease over the remainder of the land and would negotiate with Council around that, separate to this process.



Figure 1. Proposal from Ambulance Tasmania

There are a number of options Council would need to consider in the future disposal of the site. An analysis of the best option for Council and the community requires further examination.

This report recommends that Council commences a community engagement process to determine whether there are any significant concerns about the disposal of the Land to the DHHS and the relocation of the Club.

Background provided by DHHS

DHHS has provided the following background information about its proposed occupation of the Land for its northern suburbs Ambulance Station:

“A review was undertaken of the proposed Ambulance Tasmania infrastructure requirements on behalf of Infrastructure Services Programming and Delivery in the Tasmanian Department of Health.

The purpose of the review was to ensure the proposed infrastructure for Burnie and Glenorchy ambulance sites is consistent with a contemporary understanding of population needs and service priorities. The project methods comprised a review of background materials and consultation with key stakeholders, as identified by the DHHS.

Tasmanian Treasury population projections, released in 2019, anticipate significant changes in the demographic profile of the Tasmanian population by 2050. Demographic changes, together with changing chronic disease burden, will impact population requirements for ambulance services into the future. Treasury projections indicate the number of people aged 65 years and over in Tasmania is predicted to increase substantially.

The Glenorchy site is proposed to have dual functions – to provide operational infrastructure for ambulance service delivery in Glenorchy and to provide a training centre for Ambulance Tasmania.

Operationally, stakeholders report the Glenorchy site needs to accommodate 20 personnel simultaneously by 2034/35. Workforce roles that need to be accommodated include duty managers, paramedics, clinical support officers, cleaners and administrative staff.

A large garaging capability is required for the Glenorchy site as the Glenorchy station would provide overflow for the Hobart station. Scenario modelling prepared in 2015 anticipates the Glenorchy station will require garage space for between seven and nine ambulance vehicles by 2034/35.

According to stakeholders, there are currently ten vehicles in Hobart that will need to be accommodated at the Glenorchy site in addition to the four vehicles required for Glenorchy presently. A minimum of 14 garage spaces is therefore required to accommodate current vehicles. An additional four vehicles are predicted to be required

by 2034/35 for Glenorchy operational requirements, resulting in a total garaging requirement of at least 18 vehicles at the Glenorchy station.”

Council process to dispose of public land

Council has developed a process for investigating the potential disposal of parcels of Council owned land. The process is set out in the ‘*Disposal of Council Land Flowchart*’ (Attachment 2). The flowchart outlines the process that Council follow when identifying, investigating and recommending the leasing or disposal of Council land.

This initial report to Council recommends that Council commences an investigation and evaluation of the potential disposal Land. If Council proceeds with the recommendation, the next step would be to conduct an initial community engagement process in line with Council’s Community Engagement Policy. That process would also determine whether disposal by sale or long-term lease would present better value for the community.

Due to the impact of the proposed development and the expected local interest from the community, the proposal is considered to have a ‘High Impact - Local’ on the surrounding community. It is therefore classified as a ‘Level 2 impact’ under Council’s Community Engagement Framework.

The initial community engagement process would therefore include the following elements:

- the preparation and implementation of a Community Engagement Plan
- advertising on social media, and Council’s website
- signage on the site and a public display
- consultation with all stakeholders accommodated on the site, and
- an invitation to provide feedback through ‘Let’s talk Glenorchy’.

Once the community consultation process has been completed, a report would be provided back to Council summarising the results.

If Council is satisfied with the feedback received during that process, Council would then consider whether to commence the statutory process for the disposal of public land which is set out in section 178 of the *Local Government Act 1993* (**the s. 178 Process**).

The s. 178 process mandates further public notification and consultation, meaning that anyone interested in the potential disposal would have multiple opportunities to make submissions.

Specific requirements of the Policy

The Disposal of Council Land Policy requires that the initial report to Council under s. 178 contains information about how the matters set out below have been considered and addressed.

The matters to be considered and officers' comments on each are as follows:

1. *The Council Land can be disposed of in a way which:*

- ***transparently demonstrates achievement of the best value for the community, and***
- ***does not expose Council or the community to unacceptable risks around the process or the outcome.***

If Council proceed with the next stages of the investigation as set out in the Disposal of Council Land Flowchart, Council would follow the process set out in s. 178 of the Act, and the additional requirements over and above that process which are set out in the Policy.

Council would obtain a valuation for the parcels of Land which will be considered in any future decision as to whether to proceed with the disposal.

2. *Any transaction can be justified if questions are asked about market testing and competition*

The method or terms of the disposal have not yet been determined and will not be until public consultation under s. 178 is complete and the final report is provided to Council.

3. *The community is given the opportunity to provide feedback about any potential alienation of Public Land*

The community would be given the opportunity to comment through the initial consultation process proposed in this report, and then again through the formal s. 178 public notification and consultation process.

4. *The disposal of the Council Land would be consistent with Council's Open Space Strategy*

This proposal allows for part of the land to be retained as open space. When Council's Open Space Strategy was adopted in 2015, Council had not received any proposal for an Ambulance Station at this location, meaning the proposed use of the site is not specifically mentioned. However, an ambulance station would provide service that contributes to the health and wellbeing of our community, and, as noted above, there are numerous other areas of open space in the vicinity.

5. *Access to areas and connectivity with any adjacent Public Land is maintained to a level that is acceptable and in keeping with reasonable community expectations*

As the proposal currently stands, the Ambulance Station would have a public car park at the front of the station, and the remainder would be security fenced. The Club's portion of the land would remain publicly accessible if the proposal was adopted as contemplated in figure 1.

6. *Any cost associated with creating saleable parcels of land is considered*

If Council were to dispose of the land to DHHS by way of sale rather than long-term lease, there would be costs associated from a planning perspective. Depending on the term and structure of a lease, this might also trigger a requirement for subdivision

approval. Further investigation is required to understand which disposal option would present the best value for the community.

7. *Compliance with all applicable planning requirements is achieved, and*

The land is zoned as Recreation under Council's planning scheme. Initial consultation with Council's planning services section has indicated that the proposed use of the Land as an ambulance station would be permissible under the provisions of the Tasmanian Planning Scheme and Glenorchy Local Provisions Schedule (once adopted).

8. *Any other relevant matters are considered.*

All relevant matters at the current stage of the process have been considered.

There will be other matters of relevance at the point at which Council is required to consider whether it wishes to proceed with the disposal, which would be after consideration of any representations received during public consultation and following the s. 178 process.

Consultations:

Director Infrastructure and Works
Acting Manager Property and Environment
Acting Manager Infrastructure, Engineering and Design
Property Assets Coordinator
Planning Services Coordinator
Property Officer
Planning and Design Officer
Senior Strategic Planner
Senior Planning Officer
Traffic Engineer
Senior Communications Advisor
Communications Officer
Community Engagement Officer
Director Programming and Delivery - Department of Health and Human Services
Project Manager - Department of Health and Human Services
Model Makers and Collectors Club

Human Resource / Financial and Risk Management Implications:

Financial

The cost of undertaking community engagement is expected to be in the order of \$2,000, due to the proposal being assessed as having a Level 2 impact under Council's Community Engagement Policy and the need to ensure that multiple channels are used to engage the community.

Human resources

Council staff would facilitate the process as part of their normal duties.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Adverse public reaction of decision to advertise Council's intention of the disposal.	Moderate (C3)	Possible (3)	Medium	Council considers all objections received during the community engagement process, prior to determining whether to commence the formal disposal process under s. 178 of the Act.
Council does not achieve best value for the community on disposal of the land by way of long-term lease or sale.	Minor (C2)	Unlikely (L2)	Low	If it is decided to dispose of the land by way of long-term lease, Council's Lease and Licensing of Council Owned and Managed Property Policy would be followed and income from the rental would be negotiated as per the policy. If it is decided to dispose of the land by way of sale, an independent valuation would be obtained by Council and will be considered following the completion of public notification and as part of any decision to proceed with a sale.
Do not adopt the recommendation Reduced social and community outcomes through reduced capacity of the DHHS to deliver its services and programs.	Moderate (C3)	Almost Certain (L5)	High	Continue to communicate with the DHHS to consider alternative options.

Community Consultation and Public Relations Implications:

If the proposal proceeds, there would be an initial community engagement process in line with Council's Disposal of Council Land Flowchart, as described above. The public would have the opportunity to make submissions about the proposed disposal.

DHHS has engaged Pitt and Sherry to assist it in managing stakeholder engagement. If Council adopts the recommendations of this report, Council officers would work closely with Pitt and Sherry to ensure the communication plans from both DHHS and Council provide accurate, clear and consistent messaging.

The intention to dispose of the Land would then again be advertised again in accordance with s. 178 of the Act, if Council were to subsequently resolve to commence a formal process for investigating the disposal of the Land at a future meeting.

Recommendation:

That Council:

1. ENDORSE the commencement of initial investigations into the potential disposal of 137 Howard Road, Goodwood (Title Ref: 133497/1) **(the Land)** and direct the General Manager to undertake a community engagement process, and
2. DIRECT the General Manager to provide a further report to Council summarising the results of the community consultation process and identifying any specific concerns about the disposal of the Land and recommending whether or not to commence the formal disposal of public land process under s. 178 of the Local Government Act 1993.

Attachments/Annexures

- 1 Figure 1 Proposal from Ambulance Tasmania



- 2 Disposal of Council Land Flowchart



11. INVESTIGATION INTO THE DISPOSAL (LONG-TERM LEASE) OF COUNCIL LAND AT 4 AND 8 ALCORSO DRIVE, BERRIEDALE (GLENORCHY CITY BOWLS CLUB AND GLENORCHY CITY TENNIS CLUB)

Author: Acting Open Space Coordinator (Jasmine Young)

Qualified Person: Director of Infrastructure & Works (Emilio Reale)

ECM File Reference: Disposal of Council Land 2021

Community Plan Reference:

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Strategic or Annual Plan Reference:

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Objective 4.1 Govern in the best interests of our community

Strategy 4.1.1 Manage Council for maximum efficiency, accountability and transparency

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community

Objective 4.2 Prioritise resources to achieve our communities' goals

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

Reporting Brief:

To recommend that Council commences investigation into the potential disposal (long-term lease) of Council land at:

- 4 Alcorso Drive, Berriedale to its current tenant, the Glenorchy City Bowls Club, and
- 8 Alcorso Drive, Berriedale to its current tenant, the Glenorchy City Tennis Club.

Proposal in Detail:

This report proposes that Council commences initial investigations into the potential disposal (by long-term lease) of Council land at the following locations:

- 4 Alcorso Drive, Berriedale (Glenorchy City Bowls Club) (PID: 1450257)

- 8 Alcorso Drive, Berriedale (Glenorchy City Tennis Club) (PID: 1450329)

This investigation would follow the process set out in Council's 'Disposal of Council Land Flowchart' and initiate a community consultation process which precedes the statutory requirements of section 178 of the *Local Government Act 1993*.

Some important points to note about the Land are as follows:

- the two parcels are part of a single larger title (ref 139511) which is part of 671 Main Road, Berriedale. However, each has its own unique Property Identifier (PID)
- 4 Alcorso Drive, currently has a facility building and bowling green playing surface, as well as a Petanque Piste situated on it. This parcel is 5,140m² in size
- 8 Alcorso Drive, Berriedale currently has a facility building, six playing surfaces and newly installed lights situated on it. This parcel is 5,750m² in size
- Council currently has a holding-over lease agreement with Glenorchy City Bowls Club (**Bowls Club**) over 4 Alcorso Drive, which is currently being used as a lawn bowls facility
- Council currently has a holding-over lease agreement with Glenorchy City Tennis Club (**Tennis Club**) over 8 Alcorso Drive, which is currently being used as a tennis facility.

The approximate location of the properties are the areas highlighted in yellow in the below image. The properties are bordered by Council owned open space land forming part of 671 Main Road, Berriedale.



Glenorchy City Bowls Club

The Bowls Club was founded in 1970 as the Berriedale Bowls Club and played under that name for many years.

In 2014, there were four bowls clubs located within the City of Glenorchy and the clubs agreed to establish a world class lawn bowls facility within the City of Glenorchy. After examining various options, it was agreed to locate this facility on the current site at 4 Alcorso Drive. As a result, the club's members agreed to change its name to the Glenorchy City Bowls Club to reflect its new status.

Facilities include well-equipped clubrooms, a synthetic outdoor bowls green and a competitive pennant. Outdoor and indoor carpet bowls is offered for both male and female players of all ages as well as social bowls throughout the year. The clubrooms have a licensed bar and can be made available for private functions.

Glenorchy City Tennis Club

The Glenorchy City Tennis Club (**Tennis Club**) comprises six synthetic tennis courts, as well as clubrooms and other facilities.

A full upgrade to the sports lighting system at the Tennis Club to cover all six synthetic courts was undertaken in 2020 and officially opened in February 2021. The upgrade included contemporary control systems that provide remote activation and monitoring, as well as LED luminaires that provide uniform lighting of 250 lumens to all courts.

Council promoted the project through a number of different media channels and feedback from stakeholders, community members and club members was positive, with the upgraded lights playing a major part in an increase in general court hire and an increase in Club memberships at the Tennis Club.

Berriedale Master Plan

The Berriedale Peninsula Master Plan ([Attachment 1](#)) recognises the importance of these two recreational facilities for the community and includes future intentions to upgrade them.

Council initiated the preparation of a comprehensive master plan for the whole of the Berriedale Peninsula in 2020. The Peninsula includes Berriedale Reserve and associated sports and recreation facilities, the former caravan park site, TasWater waste treatment site and the cultural tourism attraction of Mona. The purpose of the Master Plan was to ensure the peninsula is developed in such a way that balances the community's need for open space, recreation and public amenity, with the broader economic and cultural opportunities afforded through the site's proximity to Mona and its patrons.

The Master Plan looks at the situation now in terms of land tenure, the planning framework governing future use and development, and the known natural and cultural values on the peninsula. The plan was prepared with input from community and stakeholder engagement about the issues and opportunities for the peninsula and has been updated following further community review and comment.

Sport and recreation values at the Berriedale Reserve are important to the community with the Glenorchy Tennis Club and Berriedale Bowls Club being based there. The

Glenorchy Tennis Club and Berriedale Bowls Club have steady club memberships and compete in regional level competitions.

The Master Plan allows for development opportunities that might arise and presents the potential for upgrading these sporting facilities. It has scope to add an indoor bowls centre over the existing grassed green, building a covered walkway from the new car park to link the Club facilities and provision for expansion of the building in future years. The Master Plan also shows the potential for future development of 'hot shot' courts at the Glenorchy Tennis Club.

While the proposed developments would be subject to feasibility assessment, it has become evident that Council needs to consider providing long-term tenure over both of these sites. For leases greater than five years, Council is required to comply with the public notification requirements and process set out in section 178 of the *Local Government Act 1993 (the Act)*.

This report recommends that Council commences a community engagement process to determine whether there are any significant concerns about the long-term lease of the properties to the Tennis Club and Bowls Club.

Council process to dispose of Public Land

Council has developed a process for investigating the potential disposal of parcels of Council owned land. The process is set out in the '*Disposal of Council Land Flowchart*' (Attachment 2). The flowchart outlines the process that Council Officers would take when identifying, investigating and recommending the leasing or disposal of Council land.

This initial report to Council recommends that Council commences an investigation and evaluation of the potential long-term lease of the sites to both the Bowls Club and Tennis Club. If Council adopts the recommendations in this report, the next step would be to conduct an initial community engagement process to determine whether there are any significant community concerns about the proposals.

As the proposed lease area sites and activities are specific, it is not anticipated that there would be a high level of community interaction with or opposition to this proposal.

The initial community engagement process would therefore include the following elements:

- the preparation and implementation of a Community Engagement Plan
- advertising on social media, and Council's website
- signage on the site and a public display
- consultation with all stakeholders accommodated on the site, and
- an invitation to provide feedback through 'Let's Talk Glenorchy'.

Once the community consultation process was completed, a report would be provided back to Council summarising the results.

If Council was satisfied with the feedback received during that process, it would then consider whether to commence the statutory process for the disposal of public land which is set out in s. 178 of the Act.

The s. 178 process requires formal public notification and consultation, meaning that anyone interested in the potential disposal would have multiple opportunities to make submissions and provide feedback on the proposal.

Specific requirements of the Disposal Policy

The Disposal of Council Land Policy requires that the initial report to Council contains information about how the matters set out below have been considered and addressed.

The matters to be considered and officers' comments on each are as follows:

- 1. *The Council Land can be disposed of in a way which:***
 - ***transparently demonstrates achievement of the best value for the community, and***
 - ***does not expose Council or the community to unacceptable risks around the process or the outcome.***

If Council proceeded with the next stages of the investigation as set out in the Disposal of Council Land Flowchart, Council would follow the process set out in s. 178 of the Act and the additional requirements over and above that process which are set out in the Policy.

Council would obtain a valuation for the parcels of Land which will be considered in any future decision as to whether to proceed with the disposal.

- 2. *Any transaction can be justified if questions are asked about market testing and competition***

The method or terms of the disposal have not yet been finalised and would not be until Council decided whether to proceed with the formal disposal process under s. 178 of the Act. However, investigations would focus around the potential long-term lease of the sites.

- 3. *The community is given the opportunity to provide feedback about any potential alienation of Public Land***

The community would be given the opportunity to comment through the initial consultation process and then again through the formal process under s. 178 of the Act if Council decided to proceed to that step.

- 4. *The disposal of the Council Land would be consistent with Council's Open Space Strategy***

This land is identified in our Open Space Strategy 2015 as important land for formal recreation purposes. This is further supported by the recent adoption of the Berriedale Peninsula Master Plan.

5. *Access to areas and connectivity with any adjacent Public Land is maintained to a level that is acceptable and in keeping with reasonable community expectations*

There would be no change or loss of connection with any of the land at the Berriedale reserve, as a result of this investigation and potential disposal by way of long-term lease.

6. *Any cost associated with creating saleable parcels of land is considered*

There would be no costs associated with creating saleable parcels because the proposed disposals would be of the existing parcels. The cost of administering long-term leases would be carried out as part of the duties of officers in Council's Property section.

7. *Compliance with all applicable planning requirements is achieved, and*

This land is zoned Recreation under Council's planning scheme. The potential disposal as proposed would not require any planning scheme amendments to proceed.

8. *Any other relevant matters are considered.*

All relevant matters at the current stage of the process have been considered.

There will be other matters of relevance at the point at which Council is required to consider whether it wishes to proceed with the disposal, which will be after consideration of any representations received during public consultation and following the s. 178 process.

Consultations:

Director Infrastructure and Works
Acting Manager Property and Environment
Coordinator Property Assets
Property Officer
Planning Design Officer

Human Resource / Financial and Risk Management Implications:

Financial

The cost of undertaking community engagement is expected to be in the order of \$500, due to the proposal being assessed as having a Level 4 impact under Council's Community Engagement Policy.

Human resources

Council staff would facilitate the process as part of their normal duties.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Moderate (C3)	Possible (L4)	Medium	Council considers all objections received during the community engagement process, prior to considering whether to commence a process under s. 178 of the Act.
Adverse public reaction of decision to advertise Council's intention of the long-term lease.				
Council does not achieve best value for the community on long-term lease of the land.	Minor (C2)	Unlikely (L2)	Low	Council's Lease and Licensing of Council Owned and Managed Property Policy would be followed and income from the rental would be negotiated as per the policy.
Do not adopt the recommendation	Moderate (C3)	Almost Certain (L5)	High	Continue to communicate with the clubs to consider options.
Reduced social and community outcomes through reduced capacity of the clubs to delivery their services and programs				

Community Consultation and Public Relations Implications:

If the proposal proceeds, there would be an initial community engagement process in line with Council's Disposal of Council Land Flowchart. The public would have the opportunity to make submissions about the proposed disposal.

The intention to dispose the Land would then again be advertised again in accordance with section 178 of the Act if Council subsequently resolves to commence that process.

Recommendation:

That Council:

1. APPROVE the commencement of initial investigations into the potential disposal (long-term lease) of 4 and 8 Alcorso Drive, Berriedale (Title Ref: 139511/1) and direct the General Manager to undertake a community engagement process, and
2. DIRECT the General Manager to provide a further report to Council summarising the results of the community consultation process and identifying any specific concerns about the disposal of the Land and (recommending whether or not to) seeking to proceed with a statutory s. 178 disposal process for long-term lease of the identified parcels.

Attachments/Annexures

- 1 Berriedale Peninsula Master Plan
[!\[\]\(5774573cf757c446bb08af21f46b2969_img.jpg\)](#)
- 2 Disposal of Council Land Flowchart
[!\[\]\(a502cb21d600ba28a5cdf414d68eef89_img.jpg\)](#)

12. ESTABLISHMENT OF TARGETED REFERENCE GROUP - DOG MANAGEMENT POLICY REVIEW

Author: Director Community and Customer Services (David Ronaldson)

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

ECM File Reference: Dog Management Policy

Community Plan Reference:

Making Lives Better – we continue to be a safe, inclusive, active, healthy and vibrant community.

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

Strategic or Annual Plan Reference:

Making Lives Better

Objective 1.1	Know our Communities and what they value
Objective 1.1.1	Guide decisions making through continued community engagement based on our Community Plan
Objective 1.3	Facilitate and / or deliver services to our communities
Objective 1.3.2	Identify and engage in partnerships that can more effectively deliver defined service levels to our communities.

Leading our Community

Objective 4.1	Govern in the best interests of our community
Objective 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Objective 4.1.3	Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To recommend Council establishes a targeted reference group to assist with the upcoming review of its Dog Management Policy 2017.

Proposal in Detail:

The *Dog Control Act 2000* requires Council to develop a dog management policy, with specific requirements about what the policy is to include. The dog management policy is required to be reviewed every five years. Section 7 of the act, which sets out these requirements, is extracted below:

7. Dog management policy

- 1) *A council is to develop, make and implement a policy relating to dog management in its municipal area.*
- 2) *A dog management policy is to include the following:*
 - (a) *a code relating to responsible ownership of dogs;*
 - (b) *the policy in relation to declarations made, or to be made, under Division 2 of Part 3;*
 - (c) *a fee structure;*
 - (d) *any other relevant matter.*
- 3) *A council is to –*
 - (a) *invite public submissions relating to a proposed dog management policy or an amendment of the policy; and*
 - (b) *consult with any appropriate body or organisation; and*
 - (c) *consider any submissions and results of any consultation before making the policy or the amendment.*
- 4) *A council is to review its dog management policy at least once every five years.*
- 5) *In reviewing its dog management policy, a council is to take the actions referred to in subsection (3).*

Council's current Dog Management Policy was adopted in February 2017 ([Attachment 1](#)). Council is required to review the policy by February 2022.

The Dog Management Policy is a high-impact policy document that affects a large number of Glenorchy residents and ratepayers. Its review will therefore generate strong public interest. It is essential that the community and other stakeholders are given adequate opportunity for input.

To ensure that consultation is properly facilitated, Council officers propose to establish of a Targeted Reference Group (**TRG**) under Council's framework for Council committees and groups.

Draft terms of reference for the proposed TRG have been developed and are [Attachment 2](#)). The purpose of the TRG would be to develop and oversee the proposed consultation process, advise on items for consideration and guide the internal policy review working group as the review takes place. The TRG would be put in place until Council adopts the reviewed policy in February 2022.

If the proposed reference group is supported, officers would advertise for members to form the group, who would then be appointed by the General Manager. It is proposed to invite representatives from the following bodies to nominate a representative on the TRG:

- Dogs' Home of Tasmania
- Tasmanian Canine Defence League
- RSPCA Tasmania

- Dogs Tasmania (Formerly Tasmanian Canine Association)
- Hobart Dog Walkers' Association
- Australian Veterinary Association (Tasmanian District)
- GCC Property Representative
- GCC Environmental Representative

It is also proposed to advertise for three community members with an interest in the policy review to nominate to be a part of the group (one each from Glenorchy, Moonah and Claremont). Expressions of interest would be advertised via Council's Facebook page, website, all GCC office locations and in the Mercury.

It is also proposed to have an Aldermanic representative on the TRG. The nomination and appointment process for the Aldermanic representative would need to be in accordance with Council's Committee Nominations and Appointments Policy, and would commence in time for the appointment to be made at the August Council meeting.

Consultations:

Executive Leadership Team
Manager Customer Services
Coordinator Public Compliance
Senior Animal Management Officer
Manager Governance
Manager Community

Human Resource / Financial and Risk Management Implications:Financial

There are no material financial implications for this report.

Human resources

There are no material human resources impacts. The review of the Dog Management Policy will be led by Council's Coordinator Public Compliance, acting as Project Manager.

The creation of the TRG as a part of the review process will be managed by the Project Manager using existing resources.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Moderate	Possible	Medium	Council communicates very clearly that the role of the TRG is to assist with the Dog Management Policy Review. Once the review is completed and adopted by Council normal business as usual processes will be undertaken via the Animal Management Officers, including continued communication with dog owners and the general public.
Creation of the TRG leads to a push for a longer-term reference group to consider issues related to Dog ownership and management within the municipality, leading to the use of additional resources and officer time.				
Do not adopt the recommendation	Moderate	Unlikely	Medium	Project team/working group would oversee consultation and engagement plan and explore other ways to engage with the community around this topic.
Inadequate oversight of and engagement around the review, leading to a less optimal revised policy and outcomes for Council and the community				

Community Consultation and Public Relations Implications:Community consultation

This report proposes the establishment of a Targeted Reference Group to support and advise on the review of a current policy position, which includes community consultation.

In the development of this proposal, the Hobart Dog Walking Association has been consulted.

Public relations

In recent years both Clarence City Council and Kingborough Council have reviewed their Dog Management Policies. This has proven to be a key topic of interest for the broader community.

Officers have consulted with other local government areas around lessons learned from their policy reviews and how best to managed and communicate that process.

Recommendation:

That Council:

1. NOTE that Council's current Dog Management Policy is due for review in February 2022.
2. ENDORSE:
 - (a) the establishment of a Dog Management Policy Review Targeted Reference Group (TRG) to assist Council with the review of the policy, to be in place until the review is complete and a reviewed dog management policy is adopted, and
 - (b) the terms of reference for the TRG in the form of Attachment 2.
3. AUTHORISE the General Manager advertise for the three community representative positions on the TRG and appoint the successful nominees.

Attachments/Annexures

- 1 Current Dog Management Policy
[!\[\]\(7a8011739ec4e250e2f89a547d75fb0a_img.jpg\)](#)
- 2 ToR - Proposed Targeted Reference Group
[!\[\]\(07dce76283bf618e2364d95ae0021e26_img.jpg\)](#)

GOVERNANCE

Community Goal: “Leading our Community”

13. STORMWATER MANAGEMENT POLICY

Author: Coordinator Planning Services (Trevor Boheim)
Qualified Person: Director Strategy and Development (Samantha Fox)
ECM File Reference: Council Policies

Community Plan Reference:

Valuing our Environment

We will value and enhance our natural and built environment.

Strategic or Annual Plan Reference:

Open for Business

Objective 2.1 Stimulate a prosperous economy.

Strategy 2.1.1 Foster an environment that encourages investment and jobs.

Valuing our Environment

Objective 3.1 Create a liveable and desirable City.

Strategy 3.1.4 Deliver new and existing services to improve the City's liveability.

Leading our Community

Objective 4.1 Govern in the best interests of our community.

Strategy 4.1.2 Manage the City's assets soundly for the long-term benefit of the community.

Action 4.1.2. Improve Council's Asset Management practices

Reporting Brief:

To recommend that Council:

- (a) adopts a new Stormwater Management Policy to ensure changes in stormwater behaviour and quality resulting from development are appropriately managed when the *Tasmanian Planning Scheme Glenorchy* commences operation, and
- (b) rescinds the existing 'Stormwater Property Connections Policy', 'Stormwater Run Off Management Policy' and 'Building Over or in Close Proximity to Council Stormwater Systems or Within Service Easements Policy'.

Background:

Under the *Glenorchy Interim Planning Scheme 2015*, the Stormwater Management Code provides the mechanism to ensure changes in stormwater behaviour and quality resulting from development are appropriately managed. Impacts of stormwater on

the environment and Council infrastructure are addressed as part of the process of assessing applications for planning permits. Plans detailing how stormwater is to be managed form part of planning permits and conditions are included in planning permits to ensure specific stormwater management outcomes are achieved.

Proposal in detail:

When the *Tasmanian Planning Scheme Glenorchy* commences operation within the next few months, Council will no longer be able to rely upon its planning scheme to manage the effects of changes of land use and development on its stormwater infrastructure.

This situation will arise because, unlike the *Glenorchy Interim Planning Scheme*, the *Tasmanian Planning Scheme Glenorchy* will not contain a Stormwater Management Code. The only mechanism that will be available to Council to manage stormwater impacts will be the *Urban Drainage Act 2013*, and specifically section 14(1) of that Act, which requires that the consent of the General Manager is obtained to connect to or to interfere with a public stormwater system.

Council currently has three Policies that regulate stormwater infrastructure (the 'Stormwater Property Connections Policy', 'Stormwater Run Off Management Policy' and 'Building Over or in Close Proximity to Council Stormwater Systems or Within Service Easements Policy') all of which are due for review. These policies were drafted to operate in conjunction with the Stormwater Management Code in the *Glenorchy Interim Planning Scheme 2015*. It is proposed that these policies be rescinded and replaced with a single, new, Stormwater Management Policy, which is detailed below.

Proposed Stormwater Management Policy

It is proposed that a new Stormwater Management Policy is implemented when the *Tasmanian Planning Scheme Glenorchy* comes into effect, which incorporates and expands on these previous policies to enable stormwater impacts associated with developments to be assessed in a manner that mirrors how they have been assessed under the Stormwater Management Code.

The Proposed Stormwater Management Policy is Attachment 1 to this report.

The proposed policy would operate as the instrument against which the impacts of changes of land use and development on Council stormwater infrastructure are assessed when determining whether to grant consent under section 14(1) of the *Urban Drainage Act*. The proposed policy contains a set of matters against which the application will be assessed.

The proposed policy includes the following:

- a set of definitions of the terms used in the Stormwater Management Policy
- background information on the matters addressed and outcomes sought by the Stormwater Management Policy
- a set of exemptions to ensure small-scale development is not subject to the Stormwater Management Policy
- requirements for the disposal of stormwater

- requirements for the management of stormwater quality
- requirements for the management of stormwater quantity
- requirements for building over or in close proximity to public stormwater infrastructure or service easements.

As the first major urban Council in southern Tasmania to have a *Tasmanian Planning Scheme* come into effect, Glenorchy City Council will be the first to implement new measures to ensure the effects of changes of land use and development on stormwater infrastructure continue to be properly managed. Nearly all development, and the majority of changes to land use, have an impact on stormwater behaviour, the exception being a change of use of an existing premises that involves no new buildings or works.

The absence of a Stormwater Management Code in the *Tasmanian Planning Scheme Glenorchy* means Council, as a planning authority, will not be able to consider how stormwater is to be managed when assessing and determining an application for a planning permit. This is unfortunate, as the manner in which stormwater is managed in a new development is integral to its design and is a matter that, from the perspective of Council, the community and development proponents, is best addressed in conjunction with the assessment of an application for a planning permit.

If Council approves the proposed Stormwater Management Policy, following commencement of the *Tasmanian Planning Scheme Glenorchy*, applicants for planning permits will be encouraged to apply concurrently for consent under section 14(1) of the *Urban Drainage Act*. Council's statutory planners and development engineers would assess both applications in an integrated manner, with the aim being to issue a planning permit and section 14(1) consent on or about the same day. This would benefit development proponents and would reduce the risk that any planning permit issued would require future amendment, or at worst case could not be acted on, as a result of stormwater management issues not being considered when the permit was granted.

Consultations:

Corporate Governance
Senior Legal Counsel
Executive Leadership Team
Manager Infrastructure, Engineering and Design
Manager Development

Human Resource / Financial and Risk Management Implications:Financial

No fee is proposed to be levied in the 2021/22 financial year for an application for section 14(1) consent. To do so would impose an additional cost on developers as the assessment of impacts on public stormwater infrastructure has previously been included in the application fee for a planning permit. Further, applying a fee could be an impediment to encouraging applicants for planning permits to concurrently apply for section 14(1) consent.

Human resources

The need to create a new process for managing impacts on public stormwater infrastructure will result in additional work for development engineering and administrative staff. This will be able to be accommodated within existing staffing levels.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Medium (6)	This risk can be mitigated by providing information to development industry stakeholders prior to the commencement of the new processes and at the time enquiries are made about approvals required to undertake development.
The adoption of the Stormwater Management Policy will provide the mechanism to ensure the impacts of land use changes and development on public stormwater infrastructure are able to be appropriately managed. As this relies on a new application process, it may be resisted by a small proportion of the development industry.				
Do not adopt the recommendation	Major (C4)	Likely (L4)	High (16)	Approach the Tasmanian Government to amend the Tasmanian Planning Scheme to include a Stormwater Management Code.
Council will have no mechanism to ensure the impacts of land use changes and development on public stormwater infrastructure and the environment are properly managed. There is a risk that additional stormwater will overwhelm elements of the stormwater network with stormwater flows adversely impacting private property, stormwater quality will decline, and structures will be built over or too close to public stormwater infrastructure.				

Community Consultation and Public Relations Implications:Community consultation

There has been no broad community consultation on the adoption of a new Stormwater Management Policy and the requirement for applications to be made for consent under section 14(1) of the *Urban Drainage Act*.

From the perspective of the community, the implementation of the new policy and process would not provide any additional burden. What is currently captured during the planning approval process under the *Glenorchy Interim Planning Scheme* will now be captured by the *Urban Drainage Act*. In fact, the new policy will provide for easier assessment of smaller scale developments which will be less onerous for applicants to comply with. The new 'dual' process will be as integrated as seamlessly as possible.

Information on the new Stormwater Management Policy and the section 14(1) consent process will be provided to development industry stakeholders prior to the commencement of the *Tasmanian Planning Scheme Glenorchy*. When adopted the Stormwater Management Policy and information on the section 14(1) consent process will be available on Council's website.

Public relations

Council's marketing and communications team will be consulted in relation to addressing any potential criticism of Council implementing a new process for the assessment of impacts on public stormwater infrastructure.

Recommendation:

That Council:

1. ADOPT the Stormwater Management Policy, in the form of Attachment 1
2. RESCIND the Stormwater Property Connections Policy
3. RESCIND the Stormwater Run Off Management Policy, and
4. RESCIND the Building Over or in Close Proximity to Council Stormwater Systems or Within Service Easements Policy.

Attachments/Annexures

- 1** Stormwater Management Policy



14. QUARTERLY REPORT - QUARTER 4 2020/21

Author: Executive Officer (Bryn Hannan)
Chief Financial Officer (Tina House)
Manager City Strategy and Economic Development
(Erin McGoldrick)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Corporate Reporting

Community Plan Reference:

Leading Our Community

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

Strategic or Annual Plan Reference:

Leading Our Community

Objective 4.1	Govern in the best interests of our community
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Action 4.1.1.01	Monitor Council expenditure and drive efficiency across the organisation
Action 4.1.1.02	Develop and monitor Council's Budget, Long Term Financial Plan, Annual Plan and Annual Report

Reporting Brief:

To provide Council with the Quarterly Report for the quarter ending 30 June 2021.

Proposal in Detail:

The Quarterly Report for the period ending 30 June 2021 provides detail on Council's key strategic projects, core business activities, financial performance and forecasting and monitoring of Council's Annual Plan.

The Quarterly Report comprises the following:

- Glenorchy City Council Quarterly Report ([Attachment 1](#)), and
- Quarterly Annual Plan Progress Report ([Attachment 2](#)).

The purpose of the report is to assist Council in its strategic oversight of Council operations and of progress on implementation of the Council's Annual (Operational) Plan.

A further benefit of this reporting is that it helps to make Council's operations more transparent to the community.

Quarterly Report

The Quarterly Report ([Attachment 1](#)) contains a comprehensive summary of Council's performance over the fourth quarter of the financial year. The report consists of the:

- General Manager's summary of strategic and operational highlights
- Council's Quarterly Financial Performance Report
- reporting against Key Performance Indicators; and
- summary of Council's Risk Management profile.

Annual Plan Progress

The Annual Plan Progress Report ([Attachment 2](#)) currently records the status of the 18 priority actions.

Of those 18 actions, five are complete, 12 are on track and one is 10% behind schedule. Commentary on each priority item is provided in the report.

Financial Performance

Summary

The Quarterly Financial Performance Report provides a detailed update on Council's financial position at 30 June 2021. All operational Revenue and Expenditure actual figures in this report are interim and will not be finalised until completion of accounting adjustments and audit requirements for the 2020/21 financial year.

Council's interim operating surplus for the year ending 30 June 2021 is currently showing a favourable result of \$6.018 million against budget. This comprises \$3.232 million more in revenue and \$2.786 million less in expenditure.

Revenue

Interim year-to-date operational revenue is \$59.552 million compared to budgeted operational revenue of \$56.320 million. This represents a favourable result of \$3.232 million or 5.7% against budget.

Expenditure

Interim year-to-date operational expenditure is \$61.123 million compared to budgeted expenditure of \$63.910 million. This represents a favourable result of \$2.786 million or 4.4% compared to budget.

Capital Works

Interim year-to-date Capital Works expenditure is \$12.311 million against an annual budget of \$17.659 million.

Non-operating Revenue

Interim year-to-date non-operational revenue (capital grants and net gain/(loss) on sale of assets) is \$4.731 million compared to budgeted non-operational revenue of \$3.329 million. This represents a favourable result of \$1.402 million or 42.1% against budget.

COVID-19 Response

For the 2020/21 financial year-to-date, expenditure and commitments totalling \$0.317 million have been incurred in the carrying out of COVID-19 safety and control measures. This is in addition to the \$0.351 million incurred in the 2019/20 financial year.

Consultations:

General Manager

Executive Leadership Team

Officers responsible for Capital and Operational Budget reporting

Human Resource / Financial and Risk Management Implications:

The Quarterly Report assists in Council's active risk management by monitoring and reporting on the progress of Annual Plan actions, major projects, key activities of Council and financial performance.

This enables Council to have oversight of the performance of the organisation, enabling informed decision-making and appropriate risk mitigation.

Given the report is for receiving and noting, there are no material risks in adopting the recommendations.

Community Consultation and Public Relations Implications:

Community consultation

As this is a report on the outputs and outcomes of Council services and activities, no community consultation was undertaken.

Public relations

There are no material public relations implications. Key information from the report has already been publicly released, including Council's forecast budget deficit and economic stimulus and community assistance measures.

Recommendation:

That Council:

RECEIVE and NOTE Council's Quarterly Report and Quarterly Annual Plan Progress Report for the quarter ending 30 June 2021.

Attachments/Annexures

1 Quarterly Report - Q4 2021



2 Annual Plan Progress Report - Q4 2021



15. DELEGATIONS - TASMANIAN PLANNING SCHEME

Author: Manager, Development (Paul Garnsey)

Qualified Person: Director Strategy and Development (Samantha Fox)

ECM File Reference: Delegations

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 communities.

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 update delegations for senior planning staff to enable decision making once the new *Tasmanian Planning Scheme Glenorchy* comes into effect.

Proposal in Detail:

Glenorchy City Council, as a planning authority, has numerous powers in relation to the determination of land use and planning matters under the *Land Use Planning and Approvals Act 1993 (LUPAA)*.

Section 6(3) of LUPAA, provides that Council may, by resolution, delegate any of its functions or powers under LUPAA (other than the power of delegation) to a person employed by Council.

Council has recently delegated functions and powers under sections 56, 57 and 58 of the *Land Use Planning and Approvals Act 1993 (LUPAA)* directly to senior Council staff. The wording of the current delegation relates specifically to the *Glenorchy Interim Planning Scheme 2015*.

The recent approval of the *Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Modification) Bill 2021* now requires some applications to be assessed under the provisions of the Draft *Tasmanian Planning Scheme Glenorchy*, which requires an update of the delegations to reflect the new requirements.

Revised delegations under LUPAA Section 57 (2) and (6)

The update of the existing delegation for senior planning staff is to:

- include new zone names used under the Tasmanian Planning Scheme:
 - 'Rural' - replaces 'Rural Resource'
 - 'Landscape Conservation' - replaces 'Environmental Living'
 - 'Future Urban' - replaces 'Particular Purpose Zone 1 – Urban Growth Zone'.
- use a generic reference to 'planning scheme' to ensure applications still valid under the *Glenorchy Interim Planning Scheme 2015* can be determined
- include new terms for 'heritage', 'precinct', 'significant tree' or 'place of archaeological potential' to reflect new separate categories in the State Planning Provisions.

A marked-up version of the existing delegations with the proposed updates is provided in Attachment 1 for clarity.

Consultations:

Director Strategy and Development
 Manager Development
 Coordinator Planning Services
 Senior Statutory Planner

Human Resource / Financial and Risk Management Implications:

There are no material financial or 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)	Rare (L1)	Low (3)	Revise report and resubmit to Council for reconsideration.
Current delegations would be inconsistent with the new Tasmanian Planning Scheme and would not be able to be exercised.					

Community Consultation and Public Relations Implications:

Given that this is an internal governance matter, community consultation is not required or appropriate.

Recommendation:

That Council:

1. DELEGATE Council's relevant functions and powers under sections 56, 57 and 58 of the *Land Use Planning and Approvals Act 1993 (LUPAA)* to the positions of:

- Coordinator Planning Services
- Senior Statutory Planner, and
- Senior Strategic Planner,

as follows:

Section	Power	Condition
Section 56 (1A) and (2)	The power to amend or refuse to amend a permit	Unless the proposed amendment relates to an aspect of the use or development which was the subject of, or imposed as a result of, representations.
Sections 57(2) and (6)	The power to determine applications for discretionary permits.	<p>Only in the following circumstances:</p> <ol style="list-style-type: none"> 1. If the time in which the planning authority must grant or refuse a permit will expire prior to the next scheduled meeting of the Glenorchy Planning Authority, and the applicant has refused to grant an extension to that time period. 2. Where use or development is prohibited. 3. Where an application for a permit is made for the demolition of a building. 4. Where an application for permit is made and for which no representations are received and regardless of whether formal comments have been provided by the Regulated Entity pursuant to section 56Q of the <i>Water and Sewerage Industry Act 2008</i>, for the following uses and developments: <ol style="list-style-type: none"> (a) Single dwellings in the General Residential, Inner Residential, Low Density Residential, Environmental Living, Landscape Conservation Zone, Environmental Management, Rural Resource, Rural, Future Urban and Particular Purpose Zone 1-Urban Growth Zones. (b) Ancillary dwellings in the General Residential and Inner Residential zones. (c) Use and/or development of a heritage place,

		<p>precinct, significant tree or place of archaeological potential listed in the Heritage Code in the planning scheme or a Place on the Tasmanian Heritage Register (except where estimated cost of development exceeds \$500,000).</p> <p>(d) Variations to development standards for all residential development, except for variations to car parking requirement.</p> <p>(e) Subdivisions creating five (5) lots or less, and boundary adjustments.</p> <p>(f) Discretionary signs.</p> <p>(g) Additional vehicular accesses to road frontages where the Development Engineer has recommended approval.</p> <p>(h) Minor additions, carports and garages for existing Multiple Dwellings provided no new dwellings are being created.</p> <p>(i) Any vegetation removal requiring planning approval under any Code in the planning scheme.</p> <p>(j) Single dwellings within the area affected by the Blacksnake Rural Village Specific Area Plan.</p> <p>(k) Fencing for use and development in the Local Business, General Business, Central Business, Commercial, Light Industrial, Community Purpose and Utilities zones.</p> <p>5. Multiple dwellings to maximum of four dwellings in the General Residential and Inner Residential zones.</p> <p>6. New development or Change of use and/or extension of existing buildings where the estimated cost of development does not exceed \$500,000 except where the development is an existing non-conforming use or (is enough) the applicant is disputing a requirement for the provision of cash in lieu of car parking.</p>
Section 57(3)	Authority to provide notice of an application for discretionary permit.	Nil.
Section 57 (5)	The power to extend the advertising period for a planning permit application.	Nil.

Section 57(6)(b){ii}	The power to enter into an agreement in writing with the applicant pursuant to Section 57(6)(b)(ii) of the <i>Land Use Planning and Approvals Act 1993</i> to extend the period past 42 days to enable the authority to make a decision.	Nil.
Section 57(6A)	Authority to negotiate an extension of time for determination of a permit application.	Nil.
Section 57A(4)	The power to determine whether or not the planning authority agrees to mediation.	Nil.
Section 58	The power to determine applications for other permits.	Regardless of whether formal comments have been provided by the Regulated Entity pursuant to Section 56Q of the <i>Water and Sewerage Industry Act 2008</i> .
Section 58(2A)	The power to agree to and extend other permits.	Nil.

2. NOTE that the above delegations supersede the delegations given by Council at its meeting on 28 June 2021.

Attachments/Annexures

- 1 Revised Planning Delegations- July 2021 (tracked)



16. 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 16 June to 13 July 2021 and provide updates on other relevant procurement matters.

Proposal in Detail:

Exemption Report

Council's Code for Tenders and Contracts (**the Code**) has been made and adopted by Council as required under section 333B of the *Local Government Act 1993*.

Under the Code (Annex A), the General Manager is required to report to Council any purchases in circumstances where a normally required public tender or quotation process is not used. Instances of non-application of the quotation or public tender process are to be reported at ordinary Council meetings as soon as possible after a contract is executed or a purchase order is issued.

The information reported for each contract or purchase order will include:

- *the contract or purchase order value (excluding GST);*
- *the circumstances for engaging the contractor or supplier without seeking the required number of quotes;*
- *the date approval was given to engage the contractor or supplier;*

- *the date of the contract or purchase order; and*
- *if the contract or purchase order was as a result of a prescribed situation or prescribed contract under regulation 27 of the Local Government (General) Regulations, the sub regulation relied on for not calling for public tenders.*

For the period from 16 June to 13 July 2021, there were no exemptions to Council's Code for Tenders and Contracts.

Expenditure on External Legal Services

For the month of June 2021, the total amount spent on external legal services for all of Council was \$2,135. This was predominantly in relation to a matter involving a restrictive covenant on a development site.

The above expenditure was provided for in Council's 2020/21 budget.

Consultations:

Executive Leadership Team
Senior Legal Counsel
Procurement and Contracts Coordinator
Accounts Payable Supervisor

Human Resource / Financial and Risk Management Implications:

Human resources

There are no material human resources implications.

Financial

There is a total of \$2,135 in budgeted expenditure.

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 16 June to 13 July 2021.

Attachments/Annexures

Nil.

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

Questions on Notice – Open

Answer to question taken on notice – Alderman Dunsby (28 June 2021)

By-election costs

Q. What is the cost of the by-election to Glenorchy City Council?

A: The Tasmanian Electoral Commission has advised that it estimates the final cost of the by-election will be between \$3.00 and \$5.00 per elector.

There were 33,366 electors enrolled in Glenorchy for the by-election, meaning the cost is estimated to be between \$100,098 and \$166,830.

Answer to question taken on notice – Alderman Sims (28 June 2021)

Residential parking permits

Q. Does Council provide residents with on-street residential parking permits in Council limited areas?

A. Council does not currently provide residents with on-street parking permits. The issue of residential permits was raised in the [Glenorchy City Council Parking Strategy 2017-2027](#) which included an action to “Explore the options for ‘Residential Parking Permit Schemes’ and develop a procedure for implementing, if it is feasible and cost effective” (see clause 5.2 on page 16). A review of the Parking Strategy has commenced, which may ultimately recommend this action continues to be progressed, or is altered or removed.

Q. What the barriers are to exploring this policy or model in our Council precinct?

A. The feasibility and cost effectiveness of implementing a residential parking permit schemes would need to be investigated. This would include looking at the number of requests Council has received to see if such a scheme would benefit those requesting it and/or if there are other options available such as removing the time limit parking restriction in some residential areas. Parking permits schemes are generally implemented in areas where there is time limited parking and no-long term parks nearby, and where residents there is limited available off-street parking available for vehicles (for example, inner city residential areas with higher density living).

A permit scheme would also require new administrative processes to be implemented internally with costs and likely a fee charged to residents for the permit.

Questions on notice – Alderman Fraser (submitted 13 July 2021)**Planned ecological (low level) burning**

Q. I recently joined a local community group along with GCC's Adam Muyt, to help remove non-native grass from a nature reserve in West Moonah. Hand weeding has its place in weed management, however native vegetation also relies on regular fire to regenerate and to control the spread of weeds. Is there merit in conducting some low level burns in our urban woodland areas and does the Council have any plans to do so in the future?

A: Council prioritises its resources and budgets to reducing bushfire risk at a landscape scale based on risk assessments undertaken jointly by Council and the Tasmania Fire Service (TFS). The two objectives which set out how Council prioritises works are noted in the attached as listed below:

1. To minimise the impact of major bushfires on human life, communities, essential and community infrastructure, industries, the economy and the environment. Human life will be afforded priority over all other considerations.
2. To maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products.

Noting that these two objectives align with the *Tasmanian Vegetation Fire Management Policy* that ensures all agencies, land managers, and landowners within Tasmania are working to achieve the same outcomes.

Ecological burning (as Alderman Fraser notes above) meets the secondary objective. At this point in time, Council has no plans to undertake solely ecological planned burns within the next 4-5 years. It is, however, worth noting that planned fuel reduction burns do have ecological benefits. The most recent planned fuel reduction burn conducted jointly by Council and TFS within Wellington Park Fire Management Units 8 and 11 included a section of grassland.

Developing an ecological planned burning program is one of the priorities under Council's Bushfire Mitigation Portfolio was established in early 2017, however this is on hold until higher prioritised risk reduction works are undertaken.

CLOSED TO MEMBERS OF THE PUBLIC

18. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council meeting (closed meeting) held on 28 June 2021 be confirmed.

19. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal: “Leading our Community”

20. AUDIT PANEL MINUTES

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

ENVIRONMENT

Community Goal: “Valuing our Environment”

21. TOLOSA PARK MASTER PLAN

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)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal) and (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential).

22. CONTRACT 0820 (RESPONSIVE SUPPLY OF ASPHALT) AND CONTRACT 0821 (ASPHALT WORKS AND BITUMINOUS PAVEMENT RESURFACING)

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)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal).

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