

**COUNCIL MEETING
AGENDA
MONDAY, 29 MAY 2023**



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 Mullen', is positioned above a horizontal line.

Tony Mullen
General Manager
Monday, 29 May 2023

Hour: 3.30pm

Present (in Chambers):

Present (by video link):

**In attendance (in
Chambers):**

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

Leave of Absence:

**Workshops held since
last Council Meeting**

Date: Monday, 1 May 2023

Purpose: To discuss:

- Benjafield Park – update on community engagement
- Comms strategy update
- Carols Grant update
- Voice Referendum to Parliament

Date: Monday, 8 May 2023

Purpose: To discuss:

- Tasmanian Planning policies
- Strategic Risk Review

Date: Monday, 15 May 2023

Purpose: To discuss:

- Collection of shopping trolleys
- Elected members expense policy
- Reflect RAP Draft document

Date: Monday, 22 May 2023

Purpose: To discuss:

- Budget process – final workshop
- Annual Plan
- Community Engagement Review

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council meeting held on 26 April 2023 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question without Notice - Janiece Bryan, Montrose

Q1: If you rezone and dispose of CBD car parks, what is Council's plan to provide accessible car parking for the people of Glenorchy to carry on with their daily lives?

Question taken on notice response

A: The Greater Glenorchy Plan, a masterplan adopted by Council in February 2021, identifies there might be future opportunity to rezone some lots, including car parks, however there is currently no plan to rezone or dispose of any of Council's CBD carparks.

The Glenorchy Parking Strategy 2017-2027 is currently due for review and will be taken to the May Council meeting for re-adoption. The objective of the strategy is to manage the supply and use of parking for the Glenorchy municipality. The strategy is to ensure there is adequate parking in Glenorchy through the five main themes – Parking Infrastructure, Parking Management, Parking Enforcement, Parking Finance and Parking Education.

(As background to this: a recent Planning Scheme Amendment PLAM-22/04 is seeking to apply a Specific Area Plan to land currently within the Central Business Zone, the zoning of land within the Glenorchy CBD. This planning scheme amendment does not seek to rezone any of Council's existing car parks. The Greater Glenorchy Plan, a masterplan adopted by Council in February 2021, identifies there might be future opportunity to do this, but there is no current plan in place).

Q2: Will the Council be providing the infrastructure for the Northern Corridor Apartment developments? How could this be called responsible, when the Updated Policy Agenda Item 10 page 16 states 'We encourage responsible growth for our City'? This is not responsible growth for the residents of this city.

A: [Acting General Manager] Council is looking at conducting some studies on what infrastructure is available and its capacity. If there is need to upgrade the infrastructure, that will probably be a condition of development applications as they arise, but it does depend on what sort of applications we get. As an example, there might be other ways that they can detain stormwater and have a zero net impact on the infrastructure. These are the type of things that we would look for and assess to ensure that the systems are not overloaded in relation to any development that takes place.

Q2a. My main concern is the cost to ratepayers.

A: [Acting General Manager] I can reassure you that is our concern as well. We are constantly looking at ways of minimising any impact.

Q3: Could you provide transparency to the community in relation to the land tenure of Berriedale Public Reserve? Has the Berriedale Public Reserve been disposed of?

If the answer is No – How is the land being legally occupied when there is no lease for the Caravan Park or the Berriedale Foreshore Reserve? This has been confirmed as a result of a Right to Information request.

If the Answer is Yes – What was the sale price for the Berriedale Public Reserve?

The land is being occupied, how is it legally occupied if there is no lease agreement for those parts of the Berriedale public reserve?

A: [Mayor] The Berriedale public reserve has a number of different titles on it, so I'm not sure if you're referring to a specific title on the Berriedale public reserve?

Q3a: I did put in a Right to Information request and there are leases and the land is being occupied. How is it legally occupied if there is no lease agreement for those portions of the Berriedale public reserve?

A: [Acting General Manager] Council does have a lease agreement on a car park that is being used by MONA. We do have a further potential lease, it is at stage one for when the BMX track is relocated, so they are under formal lease agreements.

We do have a temporary lease or a fixed-term lease in an area adjacent to the border where there used to be some caravan parking some time ago. It is being used for MONA staff for car parking and we have an Agreement letter for their builders to park their cars whilst the building works are going on at the MONA site within the old Caravan Park area.

Q3b. I am referring to that and also the Berriedale foreshore reserve, which is the area and north of the it's the car park that MONA acquired initially. There's quite a big area there that they're occupying, but I did not receive any information on any leases for that, that part of the peninsula.

A: [Acting Director Infrastructure and Waste] The area you are referring to is under a licence and I can send you a copy of those licences. Please note there are provisions within those licences called holdover provisions, so the same terms and conditions of the agreement apply in holdover.

Council is currently negotiating with MONA a new lease over that area, which is the 'Worm Chapel'. A new agreement will be put in place but the old agreement isn't invalidated, as it is in holdover provision.

[Mayor] We will take that on notice and provide the specific forms of licence to you.

- A: The Licence in question was emailed to Ms Bryan by Council officer Hayden Waterlow on 28 March 2023, and again by Council officer Luke Chiu on 18 April 2023. The holdover provisions mentioned at the Council Meeting are at “Clause 2.4 Holding Over” of this Licence, which note that the Licence may continue on a month-to-month basis, on the same terms and conditions, after the expiry of the term of the licence.

Q4: Why have the Strategic Plan objectives been deleted from the Leasing and Licencing Policy. ‘Making lives Better’ has been replaced with ‘Open for Business’? The welfare of ratepayers and residents has been made irrelevant.

You have removed community consultation, community goals, deploying council resources effectively to deliver value, accountability, referent to regulatory compliance in Councils systems and processes. Has there been prior consultation with the elected aldermen on these changes?

- A: [Mayor] The strategic plan references have been removed because we now have a new Strategic Plan but it is not necessary to have strategic plan references in what are policy documents.

[Acting General Manager] The policies had a number of headings where we refer to legislative requirements and it also had a reference to the strategic plan on how they might align to them.

Council recently went through a new strategic planning process and we have developed new strategies, which have made the existing policies obsolete. A decision was made to remove the section where it referred to strategic plans on Council policies because it is not a common to have strategic plan references in policy documents. The policy does have some reference to legislative processes and then lays out a process that we need to follow in relation to our duties. The strategic plan references were not really there for any other reason except for showing where they might align.

Q4a: With allowing a letter, specifying a permit is not required, in lieu of issuing a valid planning permit, there are many issues not addressed in this policy. Who has the delegation to issue these letters, how are they assessed, how and who manages conflicts of interest and risk? Does this meet statutory requirements under the Legislation?

With previous changes to Planning Authority delegations, is there a conflict of interest register and how is this managed? Is risk management assessed?

- A: [Acting General Manager]. Council does have a conflict of interest register, conflicts of interest are recorded and registered. The delegations are dependent on the development, based on this they are allocated to either a Planning Officer, or a Senior Statutory Planning Officer, or a Manager, or the General Manager.

If no permit is required it still has to go through an assessment process to determine that no permit is required, because if something meets all of the

planning requirements like the required setbacks, heights and everything else that it needs to comply with, then the applicant doesn't actually need to have a permit,

Under the planning scheme it sets out the process but an applicant doesn't have to come to council to get that, however, Council does recommend that they do go through the process, as this way it is verified and the applicant has a letter from Council advising it has been assessed and it doesn't require a permit.

Q4b. If Officers are doing planning approvals outside the planning authority authorising them, is there a separate conflict of interest register to the one used by the elected members?

A: [Acting General Manager] There is only one conflict of interest register.

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.

Question on Notice – Morris Malone, West Moonah (received 7 May 2023)

Q1. What is the rationale for fully fenced playgrounds that are not equipped with accommodating gates, such as Keats Reserve?

A: Boundary fencing between parks and roads reduce likelihood of incidents, and give adults some comfort when supervising, they also act as a vehicle barrier and contain balls. The Keats reserve pathway is used as a regular thoroughfare, it's virtually impossible for people in wheelchairs to reach locks on gates. A self-closing gate wasn't considered in this instance. This is consistent with current advice from Play Australia.

Q2. Does council believe the fencing at Athol Street Reserve is adequate, considering this playground is adjacent to a highway?

A: Acknowledge your concern here. Contracts are currently out for pricing to replace this fence with a higher safety fence (1.2m high), with the inclusion of a self-closing gate. The gate will be self-opening inwards to the park, so if a child

who wants to run down Main Road they will have to pull the gate in and step back, giving a supervisor more time to respond.

Q3: For Athol Street Reserve & Kendall Street Reserve, both of which are adjacent to a highway, would Council at least consider installing self-closing gates for increased safety?

A: Athol Street fencing & gate is currently being coordinated, as above.

Kendall Street reserve fencing, with a self-closing gate isn't currently on our list of priorities, however we will factor into upcoming budgets. The future planning for Kendall Reserve is for the removal of the play equipment and replacement with park seats and gardens, to encourage passive recreation, as outlined in Council's Playspace Strategy.

7. PETITIONS/ADDRESSING COUNCIL MEETING (DEPUTATION)

COMMUNITY

Community Goal – Making Lives Better

8. ACTIVITIES OF THE MAYOR

Author: 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:

Leading our Community

Objective: We are a leader and partner that acts with integrity and upholds our community’s best interests.

Strategy: Listen to our community to understand their needs and priorities.

Strategy: Communicate effectively with our community and stakeholders about what Council is doing.

Strategy: Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes for Glenorchy and Greater Hobart.

Reporting Brief:

To receive an update on the recent activities of the Mayor.

Proposal in Detail:

The following is a list of events and external meetings attended by Mayor Thomas during the period from Monday, 17 April to Sunday, 21 May 2023.

Wednesday 19 April 2023

- Chaired Council workshop
- Participated in ABC Drive radio interview

Thursday 20 April 2023

- Participated in the Southern Tasmanian Regional Waste Authority Board meeting
- Attended Kennerley Kids Opening event

Friday 21 April 2023

- Participated in the Giblins Reserve Regional Playspace media event
- Met with Keryn Nylander, Nylander Consulting, Tom Cooper, Ride Beam General Manager and Glenn Aldis, Ride Beam Tasmanian Operations Manager
- Met with Chris Adekunle and Christine Mucha, Southern Waste Solutions
- Met with Danny Sutton, Colony 47 re. The proposed Committee for Hobart

Tuesday 25 April 2023

- Participated in Claremont RSL Sub-branch ANZAC Day Dawn Service and Parade
- Hosted Glenorchy ANZAC Day Memorial Service

Wednesday 26 April 2023

- Participated in the Greater Hobart Mayors forum
- Chaired Council meeting

Thursday 27 April 2023

- Met with YMCA President Gaye Richardson

Friday 28 April

- Visited Copping Landfill Site with Chris Adekunle and Christine Mucha, Southern Waste Solutions
- Attended the Clubs Tasmania Industry Night

Monday 1 May 2023

- Participated in the Elected Member tour of Berriedale and Benjafield Childcare Centres
- Met with Minister Julie Collins in relation to housing affordability and supply in Glenorchy
- Chaired Council workshop

Tuesday 2 May 2023

- Met with Senator Carol Brown in relation to Glenorchy City Council's Federal Government Budget submission
- Met with Arielle Cannell, Mayors Sport and Academic Fund recipient
- Presented to Kentish Council in relation to LGAT president candidacy

Wednesday 3 May 2023

- Participated in Southern Cross radio interview to promote Red Shield Appeal Red Game
- Presented at LGAT President Candidates online forum

Friday 5 May 2023

- Participated in New Town Rivulet Estuary redevelopment media announcement
- Chaired the Jobs Hub Steering Committee meeting
- Participated in GMC meeting to discuss of the review of Local Government Engagement plan

Monday 7 May 2023

- Met with Emily Caswell, State Manager, Workforce Australia Provider Support Division
- Chaired Council workshop

Tuesday 8 May 2023

- Attended John Radcliffe's funeral service
- Attended 2023 Tasmanian Australian of the year, John Kamara speech to Parliament

Wednesday 9 May 2023

- Met with Inspector John Ward and incoming Inspector for Glenorchy James Semmens
- Participated in Guilford Young College Campus assembly

Monday 15 May 2023

- Met with Government House staff and Red Shield Appeal volunteer team
- Chaired the Glenorchy Planning Authority meeting
- Chaired Council workshop

Tuesday 16 May 2023

- Hosted official opening of the Collinsvale Playground
- Met with John and Beryl Harrison re the 70th anniversary of the Berridale Service Centre

Wednesday 17 May 2023

- Attended the LGAT General Management Committee meeting

Thursday 18 May 2023

- Participated in Southern Tasmanian Regional Waste Authority Board meeting
- Participated in the reopening of the South Line for passenger service at the Tasmanian Transport Museum
- Hosted the Glenorchy Community and Volunteer awards presentation evening

Friday 19 May 2023

- Participated in Community Pop Up at Northgate Shopping Centre
- Attended the 2023 welcome function for the Glenorchy Citizen and Young Citizen of the Year group

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

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

1. RECEIVE the report about the activities of Mayor Thomas during the period from Monday, 17 April to Sunday, 21 May 2023.

Attachments/Annexures

Nil.

9. DISPOSAL OF COUNCIL LAND AT 23A NORMAN CIRCLE, GLENORCHY

Author: Property Sales and Administration Officer (Renee Kapitzke)
Manager Property Environment and Waste (Luke Chiu)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Council Land - Disposal & Sale

Community Plan Reference:

Making Lives Better

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

Open for Business

Our City will be recognised for its economic opportunities and strengths; a place where it is easy to do business.

Leading Our Community

Community and business leaders will be a key part of decision making, enabling the vision to become a reality. The community will be strongly engaged to play an active part in designing our future.

Strategic or Annual Plan Reference:

Making Lives Better

Objective	We deliver services to meet our community's needs.
Strategy	Identify and engage in partnerships that provide services effectively to our community.
Objective	We champion greater opportunities for our community.
Strategy	Work with others to improve access to housing and transport choices for our community.

Open for Business

Objective	We value our community by delivering positive experiences.
Strategy	Work constructively with the development sector and our community to enable acceptable development opportunities.
Objective	We encourage responsible growth for our City.
Strategy	Maintain a progressive approach that encourages investment and jobs.

Leading our Community

Objective	We are a leader and partner that acts with integrity and upholds our community's best interests.
Strategy	Listen to our community to understand their needs and priorities.
Strategy	Communicate effectively with our community and stakeholders about what Council is doing.
Strategy	Champion and work together to address our community's needs and priorities.
Strategy	Make informed decisions that are open and transparent and in the best interests of our community.
Objective	We responsibly manage our community's resources to deliver what matters most.
Strategy	Manage the City's assets responsibly for the long-term benefit and growth of our Community.
Strategy	Deploy the Council's resources effectively to deliver value while being financially responsible.

Reporting Brief:

To present the results of the public consultation and notification process carried out under section 178 of the *Local Government Act 1993* (the Act) and recommend that, after considering all objections, Council resolves to dispose of 23a Norman Circle, Glenorchy (the Land).

Proposal in Detail:

At its meeting on 27 February 2023, Council made the following resolution:

That Council:

1. *FORM an intention under section 178 of the Local Government Act 1993 to dispose of 23a Norman Circle, Glenorchy*
2. *AUTHORISE the General Manager to take all actions necessary to complete the public notification of Council's intent to dispose of the land in accordance with section 178 of the Act and Council's Disposal of Council Land Policy, and*
3. *AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.*

The motion was put.

FOR: Aldermen Dunsby, King, Thomas, Hickey, Cockshutt, Yaxley, Slade and Councillors Kendall and Quick

AGAINST:

The motion was CARRIED by ABSOLUTE MAJORITY.

Section 178 of the Act sets out the process by which Council can sell, lease, donate, exchange or otherwise dispose of public land that Council owns.

This report recommends that Council considers all representations received and approves the disposal, by way of sale, of Council owned Land at 23a Norman Circle, Glenorchy in accordance with section 178 of the Act and Council's Disposal of Council Land Policy.

Process under section 178 of the Local Government Act 1993 (the Act)

Section 178 of the Act sets out the process that must be followed by a Council which intends to dispose of public land. In addition, the Policy deems all land owned by Council to be 'public land' for the purposes of the Act.

Council has completed the public notification of its intent to dispose of the parcel of land and the public's right to object, in accordance with the requirements of section 178 of the Act. Following the completion of the notification, Council is now required to consider any objections lodged and decide whether to take any action regarding the objection.

After making a decision, Council must then write to any objector within seven days to notify the objector of Council's decision and advise them of their right to appeal against the Council decision under section 178A.

A person's right to appeal a Council decision regarding an objection

Under section 178A of the Act, a person who lodged an objection regarding Council's intention to sell public land can appeal to the Tasmanian Civil and Administrative Tribunal (TASCAT) against Council's decision.

Appeals must be made to the TASCAT within 14 days after receiving written notification of the Council's decision and must be made in accordance with the *Tasmanian Civil and Administrative Tribunal Act 2020*.

An appeal under section 178A can only be made on the grounds that the decision of the Council is not in the public interest in that:

- the community may suffer undue hardship due to the loss of access to, and the use of, the public land, or
- there is no similar facility available to the users of that facility.

Possible outcomes of TASCAT appeal

Under section 178B of the Act, upon hearing an appeal against a decision of a Council regarding a public objection to a Council's intent to dispose of public land, the TASCAT may:

- confirm the Council's decision
- set aside the Council's decision
- set aside the Council's decision, and
 - substitute it for another decision, or

- remit the matter to the council for reconsideration.

Under subsection 178A(5), a decision of the TASCAT on hearing an appeal is final.

Compliance with Council's Disposal of Public Land Policy

Council's Disposal of Public Land Policy requires that, following the completion of the statutory twenty-one (21) day advertising period, a report is to be presented to Council which is to contain the following information:

1. The current use and history of the Council Land

23A Norman Circle is 2.66-hectares of vacant land located entirely within the General Residential zone. It would therefore would not require a planning scheme amendment to develop residential uses. It is noted that the site currently has access constraints. However, it appears suitable access may be possible via adjoining properties.

The large size of this block, the low utilisation, the existing developer interest, and the central residential-zoned location provides scope for a potentially significant housing development.

2. Details of the cultural heritage, environmental, recreation, landscape values of the Council Land.

The site is vacant, General Residential zoned land that is undeveloped and underutilised. However, it is also acknowledged that some in the community still value this space as an informal recreation area and dog exercise area. It is noted that the Chapel Street Dog Park and Cairnduff Reserve are both within very close proximity to this land.

There are landscape and environmental values associated with the creek line. It is however noted that the creek-line is largely outside of this title and has protections under the Planning Scheme by way of the Natural Assets Code and is recognised as a Waterway and Coastal Protection Area.

3. The results of the valuation of the Council Land (obtained under 4.2)

The valuation report for this property has been circulated to Elected Members out of session in order to keep this report in Open Council, whilst not disclosing information that could create a commercial disadvantage to Council in any sale process.

4. Any statutory or legal considerations

Any negotiations of a legal nature would be undertaken in-house by Council's legal services section. A review of the property title did not uncover any encumbrances that would interfere with Council's right to sell the Land.

5. The consultation process undertaken and consideration and response to every objection lodged.

In December 2022, Council undertook initial informal consultation with the whole community regarding potential disposal by way of sale. The feedback was presented to Council at its open meeting on 27 February 2023. At that meeting, Council resolved

to form an intention to dispose the Land and to commence the community consultation process set out in section 178 of the Act, together with the additional requirements set out in Council's Policy.

Council's intention to dispose of the land was advertised on two occasions: first on 25 March 2023 and the second notice was published on 1 April 2023, in the Mercury newspaper and a copy of the notice was displayed on the property boundary notifying the public that objection to the proposal could be made to the General Manager within 21 days of the date of the first publication.

In accordance with the Policy, a plan, along with relevant property information was displayed on the community noticeboard in the Council Chambers (near the Chambers' rear public entrance). A notice was also placed on Council's website and Let's Talk Glenorchy engagement platform, along with updating the public in the April edition of the Glenorchy Gazette and Glenorchy City Council's Facebook page.

Five objections were received in response to the Section 178 public consultation and the matters raised have been considered by Council officers. A summary on the ground of objection and the Council officers response is provided below:

23a Norman Circle, Glenorchy – 5 objections received.

Objection #	Ground of objection	Officer response
1	<p>Children often play cricket on this land. Birds are plentiful and the rivulet calming. All this will be utterly destroyed by any development brought about by selling the land to a developer.</p> <p>Dog walkers will not have the luxury of letting their pets roam freely here, native wildlife will again be sent to look for other safe nesting areas.</p> <p>I am really concerned that the push for more housing will impact on local residents' freedoms on this land. Once it is gone there will be no turning back when the flavour of the month becomes 'more green outdoor recreational spaces'. Inner Glenorchy is already full of houses, traffic, schools, businesses etc. surely Council can see the need for peaceful green areas is important for everyone's mental health.</p>	<p>The property is vacant land that is zoned General Residential, however it is acknowledged that Council has allowed the area to be used for dog exercise. It is however noted that the dedicated Chapel Street Dog Park is in very close proximity to this property, as is Cairnduff Reserve.</p> <p>It is also noted that the creek-line is largely outside of this title and also has protections under the Planning Scheme by way of the Natural Assets Code and associated Waterway and Coastal Protection Area.</p> <p>Council's Statement of Commitment to Housing states that Council will release surplus Council owned land to increase residential land supply for housing.</p> <p>Considering section 178A Appeal (3) an appeal may only be made on the ground that the decision of the council is not in the public interest in that –</p> <p>(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land: or</p>

Objection #	Ground of objection	Officer response
		<p>(b) there is no similar facility available to the users of that facility.</p> <p>It is the officer's view that the objections are a low risk of being successful under the above grounds.</p>
2	<p>Our family uses this space daily for recreation and it is a fantastic space for families and dog walkers / general public.</p> <p>Green spaces such as this are disappearing fast, and it would be sad to have this area impacted especially given all the young people / children who play in the creek / families who use the space.</p> <p>There are also a range of animals and habitats that live down there and it would be really disappointing to see their habitat destroyed given what little space they have left.</p>	<p>The property is vacant land that is zoned General Residential, however it is acknowledged that Council has allowed the area to be used for dog exercise. It is however noted that the dedicated Chapel Street Dog Park is in very close proximity to this property, as is Cairnduff Reserve.</p> <p>It is also noted that the creek-line is largely outside of this title and also has protections under the Planning Scheme by way of the Natural Assets Code and associated Waterway and Coastal Protection Area.</p> <p>Council's Statement of Commitment to Housing states that Council will release surplus Council owned land to increase residential land supply for housing.</p> <p>Considering section 178A Appeal (3) an appeal may only be made on the ground that the decision of the council is not in the public interest in that –</p> <p>(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land: or</p> <p>(b) there is no similar facility available to the users of that facility.</p> <p>It is the officer's view that the objections are a low risk of being successful under the above grounds.</p>
3	<p>Many days this area of land is the only location I am able to find respite, both physically and mentally, due to my limited physical ability.</p> <p>The area of land behind Norman Circle is the only land within walking distance of my house where I am able to walk on grass and simply get out of the house - something I value greatly after periods when I have been bed-bound due to my illness.</p> <p>This area is home to many Tasmanian native hens, and the grassy area is often</p>	<p>The property is vacant land that is zoned General Residential.</p> <p>It is noted that the dedicated Chapel Street Dog Park is in very close proximity to this property, as is Cairnduff Reserve.</p> <p>It is also noted that the creek-line is largely outside of this title and also has protections under the Planning Scheme by way of the Natural Assets Code and associated Waterway and Coastal Protection Area.</p>

Objection #	Ground of objection	Officer response
	<p>used by both Yellow-tailed black cockatoos and Sulphur-crested cockatoos to graze. In recent years the land has also been home to many native Tasmanian ducks, including Pacific Black ducks.</p> <p>I also have concerns for my privacy, if housing were to be built here it would almost certainly have views into my bedroom and bathroom windows, which would also be the case for a multitude of my neighbours who I have found are unaware of the proposed disposal.</p> <p>I have also been made aware that the sale of this land impinges on the Glenorchy City Council's plan to build a bike path linking the Intercity Cycle Way to the Glenorchy Mountain Bike Park (as outlined on page 26 of the Glenorchy Mountain Bike Park Masterplan). As it stands, the only accessible bicycle route to the Glenorchy Mountain Bike Park is via the often busy and dangerous road of Tolosa Street.</p>	<p>In relation to the grounds for objection regarding privacy, any development would need to meet the relevant provisions in the Planning Scheme in the Development Application process.</p> <p>With regards to potential trail connectivity, should the property be sold Glenorchy City Council intends to work with the successful buyer to ensure that this connectivity is not precluded. It is also noted that the concept plans for the potential Humphries Rivulet trail envisage the trail through this area to be on the eastern side of the creek where Council also owns land, rather than through the 23a Norman Circle title.</p> <p>Considering section 178A Appeal (3) an appeal may only be made on the ground that the decision of the council is not in the public interest in that –</p> <p>(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land: or</p> <p>(b) there is no similar facility available to the users of that facility.</p> <p>It is the officer's view that the objections are a low risk of being successful under the above grounds.</p>
4	<p>From the available map this appears to represent a reserve area of land which has been long used as a declared off-lead dog exercise area.</p> <p>5-year consultation process of the Dog Management Policy</p> <p>Loss of a dog exercise area, despite proximity to Chapel Street.</p> <p>It was also noted that a similar potential disposal of Austin's Ferry Park (261 Main Road, Austin's Ferry) is proposed. Further concerns that this is a possible beginning of a major policy reversal since the 2022 Dog Management Plan.</p>	<p>The property is vacant land that is zoned General Residential, however it is correct that Council has allowed the area to be used for dog exercise. It is however noted that the dedicated Chapel Street Dog Park is in very close proximity to this property.</p> <p>The property at 261 Main Road, Austins Ferry is still in investigation stage and is not the subject of this consultation.</p> <p>Considering section 178A Appeal (3) an appeal may only be made on the ground that the decision of the council is not in the public interest in that –</p> <p>(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land: or</p>

Objection #	Ground of objection	Officer response
		<p>(b) there is no similar facility available to the users of that facility.</p> <p>It is the officer's view that the objections are a low risk of being successful under the above grounds.</p>
5	<p>Objection has its origins in a council meeting at least 20 years ago where the agenda item was invitations from Glenorchy Residents on future recreational uses for this land and the Riparian reserve extending from Glenorchy Bay up to Tolosa Park.</p> <p>At the time I suggested that the vacant land become a public park and sports ground. To my knowledge that conversation between the GCC and its ratepayers seems to have lapsed.</p> <p>Since that time cheap and easy access to the natural world has diminished in the Glenorchy Shire. For example, the track up Lowes Ridge from Berriedale and the Mt Hull Trail has been lost due to lack of consideration of prior recreational land use in the approval of edge of urban subdivisions.</p> <p>If the Norman Circle GCC land is preserved this can end up being a treat for local ratepayers.</p> <p>Over recent decades the GCC have retained and improved the Barossa Creek, Berriedale Foreshore, and Conneware Bay to Windermere Beach and the ongoing development of the Hobart to Glenorchy bicycle way.</p> <p>Just imagine a wonderful linear park extending from the Cycleway downstream to Glenorchy Bay and upstream to Cairnduff Park then to Norman Circle Park thence to Tolosa Park would offer a great commute for school children and adults from the bikeway to Dominic College and Springfield Gardens and the childcare centre. This should reduce traffic congestion along Chapel and Tolosa Streets. If this was combined with a pedestrian bridge over Humphreys Rivulet connecting Chapel Street with Dominic College, this would reduce traffic congestion up Tolosa Street.</p>	<p>The property is vacant land that is zoned General Residential.</p> <p>It is noted that the dedicated Chapel Street Dog Park is in very close proximity to this property, as is Cairnduff Reserve.</p> <p>It is also noted that the creek-line is largely outside of this title and also has protections under the Planning Scheme by way of the Natural Assets Code and associated Waterway and Coastal Protection Area.</p> <p>With regards to potential trail connectivity, should the property be sold Glenorchy City Council intends to work with the successful buyer to ensure that this connectivity is not precluded. It is also noted that the concept plans for the potential Humphries Rivulet trail envisage the trail through this area to be on the eastern side of the creek where Council also owns land, rather than through the 23a Norman Circle title.</p> <p>Considering section 178A Appeal (3) an appeal may only be made on the ground that the decision of the council is not in the public interest in that –</p> <p>(a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land: or</p> <p>(b) there is no similar facility available to the users of that facility.</p> <p>It is the officer's view that the objections are a low risk of being successful under the above grounds.</p>

Objection #	Ground of objection	Officer response
	Glenorchy City Council in the 21st Century should not contribute to the "Tragedy of the Commons", in terms of selling of Ratepayers or Council lands when potentially there is an opportunity for a long-term public asset such as a linear park with all its attendant health and reduction in private vehicle use benefits.	

Copies of the objections received during the 21-day timeframe are provided in Attachments 1 - 5. Officers reviewed the five objections in accordance with section 178 and section 178A (3) of the Act, which provides:

- "(3) An appeal may only be made on the ground that the decision of the council is not in the public interest in that –*
- (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or*
- (b) there is no similar facility available to the users of that facility."*

With regards to potential appeal grounds, it is considered that no objections have demonstrated that the community would suffer undue hardship as a result of to the loss of access/use of the public land through the sale of the Land in term of *section 178(3)(a)* of the *Local Government Act 1993*.

It is also considered that as Chapel Street (Dog Park) Reserve and Cairnduff Reserve are both within very close proximity to the Land, the objections could not justify that there is no similar facility available to the users of that facility with regards to *section 178A (3)(b)* of the *Local Government Act 1993*, in this case.

In conclusion, Council officers consider that no objections received on the sale of the Land warrant Council retaining 23a Norman Circle, Glenorchy.

6. The rationale for the recommended disposal, including details of any internal referrals

Council's Property and Legal areas were consulted during the process. Those consultations did not identify any issues with the potential sale of the land.

Operational staff have noted there will be a financial benefit in no longer maintaining the space that is underutilised and undeveloped residential zoned land.

The large size of this block, the low utilisation, the existing developer interest, and the central residential- zoned location provides scope for potentially significant housing development. Council's Statement of Commitment to Housing states that Council will release surplus Council owned land to increase residential land supply for housing.

7. The recommended method of disposal

It is recommended that Council engages a real estate agent to negotiate a sale with any interested parties.

8. The recommended sale price range

Recommended sale prices are dependent on the results of the valuations for each property.

As noted earlier the valuation report for this property has been circulated to Elected Members out of session in order to keep this report in Open Council, whilst not disclosing information that could create a commercial disadvantage to Council in any sale process.

9. Any encumbrances on the Council Land (easements, mortgages etc)

No easements or covenants are recorded on this land Title.

10. The estimated timeframe for the disposal

Depending on whether any appeals against the disposal under Section 178 of the Act are lodged, Council would aim to complete the sale of this property within a few months after a decision by Council is resolved, to dispose of the Land.

This timeframe takes into account a real estate agent being appointed to manage the sale of the Land, which includes marketing and advertising of the Land, along with any contractual conditions that the buyer may require to complete the settlement of the Land, which could extend the timeframe.

11. Any other relevant matters in the circumstances

There are no other material matters for consideration by Council.

12. The recommended course of action.

It is recommended that Council resolves to dispose of 23a Norman Circle, Glenorchy by way of Sale, and commence the sale and negotiation process for the Land.

With the commencement of the process to occur after the relevant appeal periods have lapsed, or in the event of appeal, if a favourable appeal outcome is achieved.

Expressions of interest:

As part of the section 178 process, Council received several expressions of interest to purchase the Land. With their permission, the details of the interested parties would be shared with the appointed real estate agent, who will be selected in accordance with Council's procurement guidelines to handle any sale process that is approved.

Council has also received interest from affordable housing entities on the availability of land. Council has not entered into any agreement with any parties.

Consultations:

Director Infrastructure and Works
 Manager Property, Environment and Waste
 Senior Legal Counsel
 Property Assets Coordinator
 Recreation and Environment Coordinator
 Property Officer

Human Resource / Financial and Risk Management Implications:Financial

The cost of disposal of the recommended properties would be approximately \$25,000, which includes valuation costs, advertising, agent fees and legal costs. Costs associated with the disposal process are funded by the proceeds of the sale.

Human resources

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

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
Adverse public reaction to decision to advertise Council's intention of disposal	Minor (2)	Possible (3)	Medium	Council considers all objections received during the statutory consultation process, as required under s. 178 of the Act. Ability for objectors to appeal to the independent Resource Management and Planning Appeal Tribunal.
Council does not achieve best value for the community on disposal of the land.	Minor (2)	Possible (3)	Medium	An independent valuation will be obtained by Council and will help to guide an appropriate sale price for the property.
Do not adopt the recommendation				
Council will delay the opportunity to potentially dispose of surplus land, resulting in ongoing operational costs, loss of revenue, and not meet Council's statement on commitment to housing.	Moderate (3)	Likely (4)	High	Council gives consideration to a strategy for releasing land assets that are not required for strategic purposes. Council articulates any issues with the proposed disposal.

Community Consultation and Public Relations Implications:Community consultation

Two forms of public consultation have taken place:

- a two-week advertisement on Council's website and Let's Talk Glenorchy page as part of a preliminary investigation into whether there were any significant concerns about the proposed disposal.
- the 21-day consultation period required under Section 178 of the Act.

Public relations

There is an opportunity to acknowledge that the disposal is supporting Council's Statement of Commitment to Housing which states that Council will release surplus Council owned land to increase residential land supply for housing.

Recommendation:

That Council:

1. Having considered the objections lodged following public notification of its intention to dispose of the land at 23a Norman Circle, Glenorchy (CT212565/1), RESOLVE under section 178 of the *Local Government Act 1993* to proceed with the disposal of the land after, either:
 - (a) no appeal is instituted during the period available to objectors for making appeals; or
 - (b) if an appeal is instituted, the discontinuation or dismissal of that appeal.
2. SERVE NOTICE in writing of its decision and the applicable appeal rights upon all objectors within 7 days after its decision.

Attachments/Annexures

- 1 Objection 1 - 23a Norman Circle, Glenorchy



- 2 Objection 2 - 23a Norman Circle, Glenorchy



- 3 Objection 3 - 23a Norman Circle, Glenorchy



- 4 Objection 4 - 23a Norman Circle, Glenorchy



- 5 Objection 5 - 23a Norman Circle, Glenorchy



- 6 Disposal of Council Land Workflow



10. FEEDBACK FROM INVESTIGATION INTO THE POTENTIAL DISPOSAL OF 12 ROTHESAY CIRCLE, GOODWOOD

Author: Property Sales and Administration Officer (Renee Kapitzke)
Manager Property Environment and Waste (Luke Chiu)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Council Land - Disposal & Sale

Community Plan Reference:

Making Lives Better

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

We value our aboriginal communities' arts, culture and heritage.

Open for Business

Our City will be recognised for its economic opportunities and strengths; a place where it is easy to do business.

Leading Our Community

Community and business leaders will be a key part of decision making, enabling the vision to become a reality. The community will be strongly engaged to play an active part in designing our future.

Strategic or Annual Plan Reference:

Making Lives Better

Objective We deliver services to meet our community's needs.

Strategy Identify and engage in partnerships that provide services effectively to our community.

Objective We champion greater opportunities for our community.

Strategy In partnership with others, facilitate and advocate for a welcoming, inclusive, healthy and learning community.

Open for Business

Objective We encourage responsible growth for our City.

Strategy Maintain a progressive approach that encourages investment and jobs.

Leading our Community

Objective We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy	Listen to our community to understand their needs and priorities.
Strategy	Communicate effectively with our community and stakeholders about what Council is doing.
Strategy	Champion and work together to address our community's needs and priorities.
Strategy	Make informed decisions that are open and transparent and in the best interests of our community.
Objective	We responsibly manage our community's resources to deliver what matters most.
Strategy	Manage the City's assets responsibly for the long-term benefit and growth of our Community.
Strategy	Deploy the Council's resources effectively to deliver value while being financially responsible.

Reporting Brief:

To report back to Council on the outcomes of the community engagement process for the potential disposal of 12 Rothesay Circle, Goodwood (the Land), by way of donation, and recommend that Council proceeds with the public land disposal process under section 178 of the *Local Government Act 1993* (the Act).

Proposal in Detail:

At its meeting on 27 March 2023, Council made the following resolution:

That Council:

1. *ENDORSE the commencement of investigations into the potential disposal of 12 Rothesay Circle, Goodwood (CT 156505/1) by donation to Karadi Aboriginal Corporation*
2. *AUTHORISE Council staff to undertake a community engagement process to identify any concerns about the potential disposal of the Land, and*
3. *REQUIRE a further report to Council summarising the feedback received (and identifying any concerns) and seeking approval to proceed or not proceed with the statutory processes for public land disposal.*

Following the Council resolution, community consultation was subsequently undertaken with interested parties and residents of properties surrounding the property. This report summarises the feedback received during the consultation and recommends that Council commences the statutory process for the disposal of public land under section 178 of the Act.

This process would follow Council's Disposal of Council Land Policy and provide another community feedback opportunity, this time enabling the community to raise objections under section 178 of the Act.

Feedback from Community Consultation

Community consultation was undertaken in line with Council's Community Engagement Framework and consisted of:

- a survey for any interested parties to complete
- a letter to 75 surrounding properties providing background information and how to access the survey
- social media advertising on 19 April, the date the consultation was active, and a reminder provided on 1 May, the week the consultation was closing
- promotion of the survey in Council Chambers
- promotion of the survey in two locations on the Land; and
- answering any enquiries received by telephone, email or during face-to-face meetings.

There were 51 total visits to the project page with 19 visitors to the survey link. From the 19 visitors, there were a total of 13 engaged participants. A summary of the responses received in respect of each property is in Attachment 1 to this report.

There were four (4) participants who partially completed the survey with their registration details, and 10 people completed the quick poll, anonymously. A detailed assessment of the responses received in respect of each property is in Attachment 2 to this report.

One participant emailed gccmail@tas.gov.au to express their support of the donation. A copy of their response is in Attachment 3 to this report, with personal details redacted.

In summary, the quick poll showed eight people supporting the proposed disposal and two people did not. The full survey showed two people supporting the proposed disposal and two people did not.

Reasons given for not supporting the proposed disposal from one respondent were mostly related to donating a Council asset for free. The second respondent that objected noted a desire for Council to maintain control over the land and to continue the existing arrangement and noted concerns should Council dispose of the land that it would set a precedent for other community groups.

With regards to concerns of setting a precedent, Council is under no obligation to donate further land to any organisation and would consider any future request on its own merits and specific circumstances on a case-by-case basis.

With regards to the suggestion of maintaining Council control over the land but allowing the use by Karadi to continue, officers raise concerns that maintaining Council control over the land would conflict with the concept of a land hand back/donation to the Aboriginal community and potentially undermine any positive message that could be associated with this donation and Council's efforts with reconciliation.

Reasons for supporting the proposed disposal were mostly related to an appreciation of the services and support that Karadi show the community.

The low numbers of objections suggests that the potential disposal of this property is unlikely to be controversial.

Should Council approve proceeding with the disposal process, those people who have responded, along with the general public, will be provided a further opportunity to object to the disposal of land through the statutory Section 178 process, as well as potentially to appeal any decision by Council to dispose of the land.

Under the Local Government Act (S178A (3)) *an appeal may only be made on the grounds that the decision is not in the public interest in that –*

- (a) the community may suffer undue hardship due to the loss of access to, and the use of, the public land; or*
- (b) there is no similar facility available to the users of that facility.*

The risk of a successful appeal is considered low given the small number of objections, the existing use of the land by Karadi who currently manage the land under a licence agreement, and the close proximity of the large open space at nearby Giblins Reserve, which is undergoing a \$3.4M redevelopment of the Playspace and supporting amenities.

Process for Disposal and Requirements under Section 178

As part of the 'Future Glenorchy Project', Council Officers developed a 'Disposal of Council Land Workflow' ([Attachment 3](#)). The workflow outlines the process that Council officers will take when identifying, evaluating, and recommending the disposal of Council land in accordance with the Act.

As noted above, there have not been any significant community concerns noted about the potential disposal of the property that are unable to be addressed.

Accordingly, this report recommends the commencement of the Section 178 process for the disposal of public land for 12 Rothesay Circle, Goodwood.

Process under Section 178

Council's *Disposal of Council Land Policy* (the Policy) deems all land owned by Council to be 'public land' for the purposes of the Act.

A resolution of Council to dispose of public land is required to be passed by an absolute majority of Council. If such a resolution is passed:

- the intention must be advertised on two (2) occasions in a daily newspaper circulating in the municipal area, and
- a copy of the notice must be displayed on any boundary of the public land that abuts a highway and notifies the public that objection to the proposal may be made to the General Manager within 21 days of the date of the first publication.

The Policy also provides that, in addition to the notification requirements in Section 178, Council is required to:

- display a plan and relevant property information on the community notice board in the Council Chambers (near the chambers' rear public entrance), and
- notify the owners of neighbouring and affected properties advising of the proposed disposal.

If Council resolves to commence the public notification and consultation process, officers will ensure that the requirements of Section 178 and the Policy are complied with.

Following the completion of the notification, Council is required to consider any objections lodged with objectors having an opportunity to appeal a decision to dispose of the land on the grounds set out above. This will be provided in a future report to Council.

The Land

The land at 12 Rothesay Circle, Goodwood, was approved for investigation for potential disposal by Council at its meeting on 27 March 2023 following receipt of a proposal from Karadi Aboriginal Corporation. The key reasons for this support included the additional land would enable Karadi to pursue expansion of Karadi's facility so that Karadi could, with the support of their funding programs, provide services that benefit the community.

The disposal of the land would also support Council's development of a Reconciliation Action Plan with the Aboriginal community.

Consultations:

Director Infrastructure and Works
Manager Property Environment and Waste
Manager Community
Transport Engineer
Recreation and Environment Coordinator
Environment Officer
Operations and Maintenance Supervisor

Human Resource / Financial and Risk Management Implications:

Financial

The cost of advertising the proposed new disposal investigations would be approximately \$1,800.

If Council decides to proceed with the Section 178 process, a valuation report would be sought from an independent consultant following the 21-day consultation process, which would cost approximately \$3,500. Whilst the property is proposed for disposal via donation, it is recommended that the valuation still be undertaken to determine the value of the donation for reporting purposes.

As part of the disposal process, Council would also incur costs associated with the conveyancing fees for the disposal of Rothesay Circle, which would be handled by Council's in house Legal team.

Council's finance system also identifies a value for Council land and so the donation would result in a net reduction in Council's assets on its balance sheet.

Human resources

Council staff will facilitate the consultation and disposal process as part of their normal duties.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (2)	Possible (3)	Medium	The rationale for the disposal the results of the consultation are explained as outlined in this report. Council will also consider any objections received during the statutory consultation process, as required under section 178 of the Act.
Adverse public reaction to decision to advertise Council's intention to disposal.				
Do not adopt the recommendation	Moderate (3)	Possible (3)	Medium	Council clearly outlines any issues with the proposed disposal.
Council will delay the opportunity for Karadi to pursue expansion of Karadi's facility which provides services to both the Aboriginal and non-Aboriginal community.				
Council may indirectly impact the development of the Reconciliation Action Plan with the Aboriginal Community	Moderate (3)	Possible (3)	Medium	Council considers a strategy for releasing land assets that are not required for strategic purposes. Council clearly outlines any issues with the proposed disposal.

Community Consultation and Public Relations Implications:

Community engagement has been conducted, as detailed in this report.

If Council's decision is to commence the statutory process to dispose of the public land, then this will be communicated to any community members who responded to the initial community engagement process, as well as by public notice. Anyone who responded, as well as anyone else in the community, will have the opportunity to make formal submissions during the Section 178 notification and objection process (which is additional to the initial community consultation process).

Public Relations

Currently there are no material public relations implications, given it doesn't appear there are any significant concerns about the potential disposal of the site that cannot be addressed. Any concerns raised during the Section 178 process will be monitored to gauge whether further action is required to address them.

There is however an opportunity for a positive public relations statement on the proposed land donation, given Council's existing statement on its commitment to Aboriginal Australians, and the current work Council is undertaking in developing an Aboriginal Reconciliation Action Plan.

Recommendation:

That Council:

1. FORM an intention under Section 178 of the *Local Government Act 1993* to dispose of 12 Rothesay Circle, Goodwood (CT 156505/1) to Karadi Aboriginal Corporation, by way of donation.
2. AUTHORISE the General Manager to take all actions necessary to complete the public notification of Council's intent to dispose the land in accordance with Section 178 of the Act and Council's *Disposal of Council Land Policy*; and
3. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to Section 178(6) of the Act and report to a future Council meeting.

Attachments/Annexures

- 1 Summary of Survey Report



- 2 Redacted Survey Responses Report



- 3 Redacted Reponse to community consultation - 12 Rothesay



- 4 Diposal of Council Land Flowchart



11. INVESTIGATIONS INTO POTENTIAL COUNCIL LAND DISPOSALS TO SUPPORT HOUSING SUPPLY

Author: Property Sales and Administration Officer (Renee Kapitzke)
Manager Property Environment and Waste (Luke Chiu)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Council Land - Disposal and Sale

Community Plan Reference:

Making Lives Better

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

Open for Business

Our City will be recognised for its economic opportunities and strengths; a place where it is easy to do business.

Leading Our Community

Community and business leaders will be a key part of decision making, enabling the vision to become a reality. The community will be strongly engaged to play an active part in designing our future.

Strategic or Annual Plan Reference:

Making Lives Better

Objective	We deliver services to meet our community's needs.
Strategy	Identify and engage in partnerships that provide services effectively to our community.
Objective	We champion greater opportunities for our community.
Strategy	Work with others to improve access to housing and transport choices for our community.

Open for Business

Objective	We value our community by delivering positive experiences.
Strategy	Work constructively with the development sector and our community to enable acceptable development opportunities.
Objective	We encourage responsible growth for our City.
Strategy	Maintain a progressive approach that encourages investment and jobs.

Leading our Community

Objective	We are a leader and partner that acts with integrity and upholds our community's best interests.
Strategy	Listen to our community to understand their needs and priorities.
Strategy	Communicate effectively with our community and stakeholders about what Council is doing.
Strategy	Champion and work together to address our community's needs and priorities.
Strategy	Make informed decisions that are open and transparent and in the best interests of our community.
Objective	We responsibly manage our community's resources to deliver what matters most.
Strategy	Manage the City's assets responsibly for the long-term benefit and growth of our community.
Strategy	Deploy the Council's resources effectively to deliver value while being financially responsible.

Reporting Brief:

To provide an update on the progress of Council's current land disposals.

To present an assessment of Council-owned land with the greatest potential for disposal to increase housing supply.

To recommend Council begins preliminary investigations into the disposal of a further eight (8) Council-owned properties at Shiraz Court, Berriedale; Baltonsborough Road, Austins Ferry; 84 Sunshine Road, Austins Ferry; Brendan Crescent, Austins Ferry; Teering Road, Berriedale; Mason Street, Claremont; Cutler Place, West Moonah; and 16b Coleman Street, West Moonah.

Proposal in Detail:**Update on progress of Council's current land disposals.**

Council currently has six (6) properties approved for disposal by way of sale. All properties with the exception of 261 Main Road, Austins Ferry, are land only.

A brief summary on the disposal status of each site is included below.

11 and 13 Nielson Drive, Montrose

Due to engineering and surveying delays which resulted in the title plan requiring amendment, further instructions have been received that further hydraulic information is required before sealing the plan and lodging with the Land Titles Office. Titles are expected to be issued in June and the appointed Real Estate Agent will commence advertising and marketing the allotments for sale once separate titles have been issued for each property.

The land size for Lot 1 (prior to property creation) is approximately 619 square metres.

The land size for Lot 2 (prior to property creation) is approximately 591 square metres.

117a Pitcairn Street, Montrose

There was a delay waiting for the address to be corrected and reflected at the Land Titles Office, to enable the appointed Real Estate Agent to commence advertising, which has now been corrected.

The appointed Real Estate Agent has prepared advertising, and the advertising will commence within the next few weeks.

The lot size for this property is approximately 721 square meters. The balance lot known as Victor Place Reserve, will remain in Council ownership and is zoned Utilities.

Lot 4 Bournville Crescent, Claremont

This property has undergone a joint rezoning and subdivision application with Claremont Bowls Club for Lot 2 (Claremont Bowls Club) and Lot 4 (Glenorchy City Council) at Bournville Crescent.

To determine the financial split for the civil works to be completed to satisfy the permit conditions, a valuation report was requested through an independent valuation company, and this has now been received.

A Deed of Agreement is to be entered into with Claremont Bowls Club for the percentage of costs to complete the works required to satisfy the permit conditions.

Following the execution of the Deed of Agreement, civil works will then be undertaken, and the application can continue with the Planning department for sealing of the plans and lodging with the Land Titles Office. We expect this process to be completed early next financial year.

14a Colston Street, Claremont

This property is zoned Utilities and was withdrawn from the joint rezoning application with the 261 Main Road, 5a Taree Street and 3 Edgar Street properties. It has been placed on hold due to complications involving substantial TasWater infrastructure.

The disposal process will resume under a separate rezoning application if the infrastructure challenges can be resolved. The proposed new zone would be a combination of General Residential and Utilities. A pre-lodgment meeting has occurred with Council planners and further investigations are required, before submitting the proposal to TasWater for approval.

The size of this property is approximately 8,320 square meters in land area; however, a significant portion of the land is encumbered by major underground infrastructure (TasWater trunk mains).

261 Main Road, Austins Ferry

This is a large (7.14-ha), complex property with multiple zones, including sections with natural values, and areas of potentially contaminating historic uses.

Preliminary investigations of the land have commenced which will consider if it 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.

A site contamination specialist has been appointed to conduct a professional assessment of any potential contamination. These assessments are required by regulatory and planning authorities for the management of contaminated sites and in the development approval processes.

The property will also need to be rezoned, in whole or part under the Tasmanian Planning Scheme to accommodate residential uses.

The stage one site contamination report has recently been received (historical analysis) which will inform the stage two investigation (targeted testing). Once the full site contamination report has been received, the next steps will involve appointing a planning consultant to produce a report on the potential rezoning of the land and prepare a planning scheme amendment request. The contamination report findings could significantly influence the strategic planning approach that is taken in any rezoning application.

Following the strategic planning report, Council officers will conduct an initial community consultation process in accordance with Council's Community Engagement Framework, and a report will be provided to a future Council meeting.

23a Norman Circle, Glenorchy

A report is being presented to the 29 May 2023 Council meeting in a separate report, to enable Council to consider any objections raised for the disposal of this land under section 178 of the *Local Government Act 1993* (the Act), before making a final decision on the recommendation to dispose of the land. The size of this property is approximately 12,621 square metres in area.

Assessment of suitable Council land for increased housing supply

Council's Property section has undertaken further investigations of potential properties for disposal to increase housing supply, in line with Council's Statement of Commitment on Housing:

4. *As a landowner, release surplus Council-owned land to increase residential land supply for housing;*

and Council's Greater Glenorchy Plan:

- 2.11 *Housing and Residential Development: There will be more demand for medium-density dwellings, driven by infill developments due to ageing population, decreasing average household size, and growing scarcity of land.*

The assessment of whether to pursue disposal of Council land is guided by the Council's *Disposal of Public Land Framework*. The framework recognises that Council

owns numerous properties that do not provide a specific or strategic purpose and/or is underutilised.

By disposing of these properties, maintenance costs can be reduced, and sale proceeds can be used to acquire or improve other properties that have a greater community benefit.

When assessing the disposal of any land a number of factors are considered to ensure that any decision to sell public land is in the best interests of the community. Some of these factors include strategic aims, costs and benefits, recreational, historical, cultural, scenic and environmental values, adjacent land impacts, site constraints, community perceptions, and legal requirements.

It is important to note that several of the allotments under investigation for disposal have challenges that need to be overcome to pursue a disposal or residential development. However, they have been identified as surplus to Council's requirements and are potentially suitable for residential development.

Prior to commencing the statutory process for the disposal of public land under section 178 of the Act, a community engagement process would be initiated to identify whether there are any significant concerns within the community that warrant further consideration by Council before proceeding. The recommendations to this report reflect the above process and will be applied to the following properties.

Shiraz Court, Berriedale

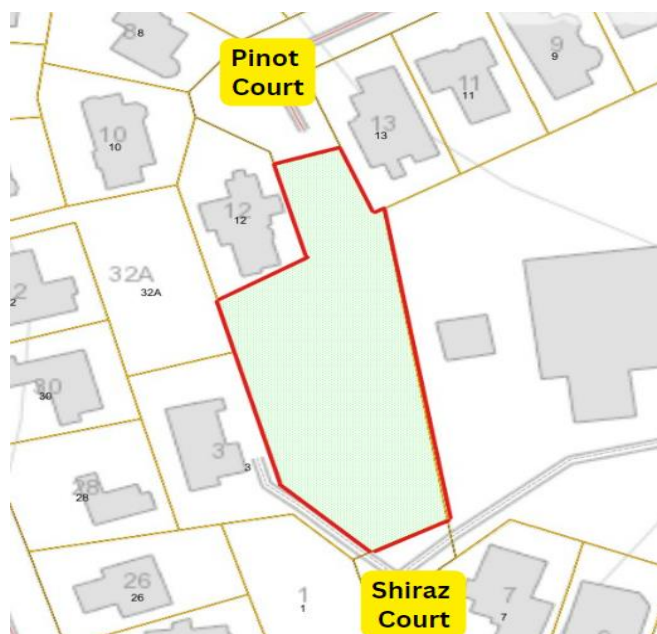
This property is zoned General Residential and has an approximate land area of 2,203 square metres and does not require a planning scheme amendment to develop for residential uses. There is an annotation to the Title that the land is 'set aside for public open space', which would reflect a decision on a prior subdivision. However, this does not encumber the land or interfere with Council's right to sell or develop the land.

This property has two road frontages, one via Shiraz Court and one via Pinot Court. Any development of the land would be subject to the requirements of a planning development application or subdivision application.

The large size of this allotment and the General Residential zoning provides scope for private ownership as is or further development.

A map showing the location of the property is *figure 1* below, and photos of the land are included in [Attachment 1](#).

Figure 1 – Location and approximate boundaries of Shiraz Court, Berriedale



Baltonsborough Road, Austins Ferry

This property is zoned General Residential and is approximately 2,030 square metres in area. This property would not require a planning scheme amendment to develop for residential uses. However, there is a restrictive covenant that prohibits building of a permanent dwelling on the eastern half of the land, along with a highway dedication that runs through the front of the property onto Baltonsborough Road.

To prepare this land for community consultation will require an amendment to the sealed plan to remove the dedicated highway and restrictive covenant to the Title. This is a lengthy process which requires notifying all other title holders on the original plans (comprising around 100 other title holders). There is also a historic, sealed plan that appears to have dedicated a highway through the property. The highway will need to be closed, as part of the process.

Although there is a restrictive covenant to the eastern half of the land, it is still possible to develop the Western half of the land if the above process fails, with access from Baltonsborough Road being achievable, if the covenant remains in place. Any development of the land would be subject to the requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 2*, below and photos of the land are included in Attachment 2.

Figure 2 – Location and approximate boundaries of Baltonsborough Rd, Austins Ferry



84 Sunshine Road, Austins Ferry

This property is zoned General Residential and is approximately 765 square metres in area. This property would not require a planning scheme amendment to develop for residential uses. However, there are restrictive covenants and an annotation to the Title and easements that apply to the Land.

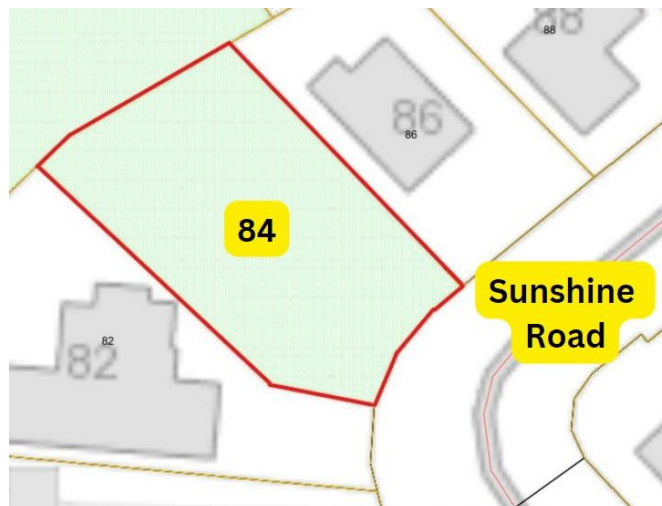
The first restrictive covenant prohibits building of dwellings on the whole portion of land and the second restrictive covenant restricts the use of land to public recreation only. The easement runs along the north-western boundary line.

Progressing this property disposal will require an amendment to the sealed plan. This is a lengthy process that requires Glenorchy City Council to notify all other Title holders on the original plans (comprising of around 100 other title holders). The sealed plan also appears to have a dedicated a highway through the property. This would need to be closed during the same process.

Any development of the land would be subject to any requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 3*, below and photos of the land are included in Attachment 3.

Figure 3 – Location and approximate boundaries of Sunshine Road, Berriedale

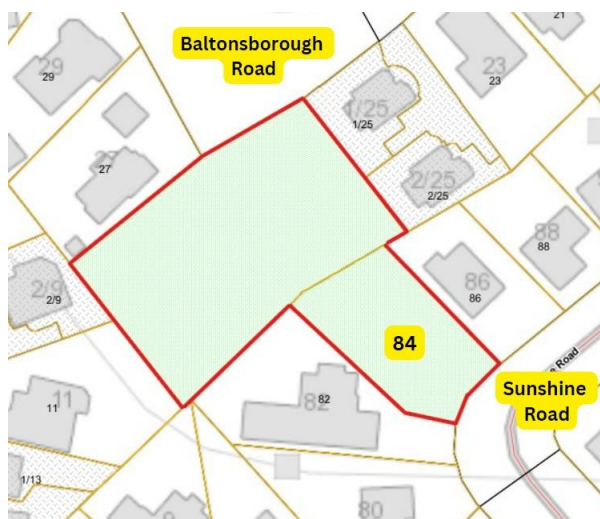


Baltonsborough Road and 84 Sunshine Road, Austins Ferry, are next to each another, with similar issues to resolve allowing Council officers to work on these two lots of Land simultaneously.

Although significant work is required to pursue amendments to both Titles, both Baltonsborough Road and 84 Sunshine Road, Austins Ferry are underutilised, zoned General Residential, and both allotments provide scope for potential residential development for increased housing supply, therefore both are worth progressing through the disposal process.

A map showing the location of both properties are *figure 4*, below.

Figure 4 – Location and approximate boundaries of Baltonsborough Road and Sunshine Road Austins Ferry.



Brendan Crescent, Austins Ferry

This property is zoned General Residential and is approximately 4,579 square metres in area. Brendan Crescent would not require a planning scheme amendment to develop this land for residential uses.

The property has two road frontages, one via Louise Road and one via Brendan Crescent. Any development of the land would be subject to the requirements of a planning development application or subdivision application.

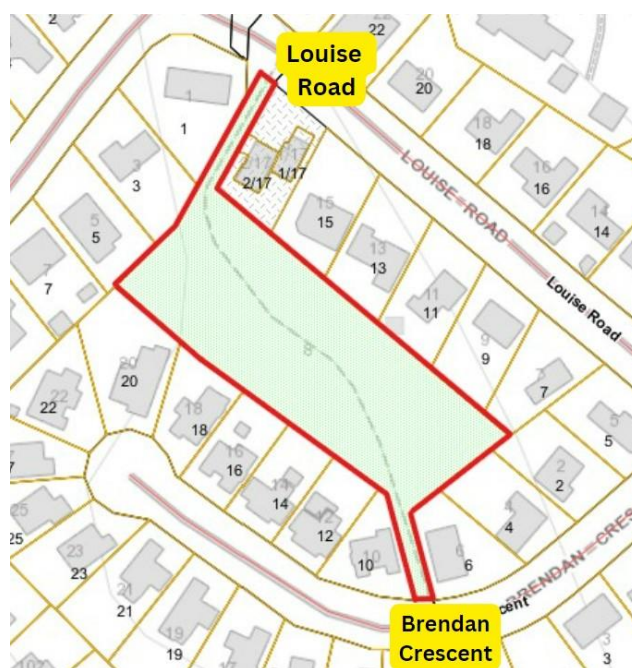
There is an annotation to the Title that the land is 'set aside for public open space', which would reflect a prior decision on subdivision. However, this does not encumber the land or interfere with Council's right to sell or develop the land. There is however a potential issue of a right of way for foot traffic (deemed a public highway) that is considered to exist between the two entrances, which will need to be further investigated and potentially resolved.

Whilst this land is zoned General Residential, it is acknowledged that it is currently utilised as open space by surrounding properties, and likely to face opposition for disposal from surrounding residents. The land is undeveloped and considered unappealing to develop as an open space reserve due it being a surrounded internal block.

If the property is disposed of, consideration could be given to allocating the disposal funds towards a new district level Playspace at the nearby subdivision at Whitestone Point in Austins Ferry, which may assist to allay concerns with its disposal. Any such use of land disposal funds would need to be subject to a future council report and resolution.

A map showing the location of the property is *figure 5*, below and photos of the land are included in Attachment 4.

Figure 5 – Location and approximate boundaries of Brendan Crescent, Austins Ferry

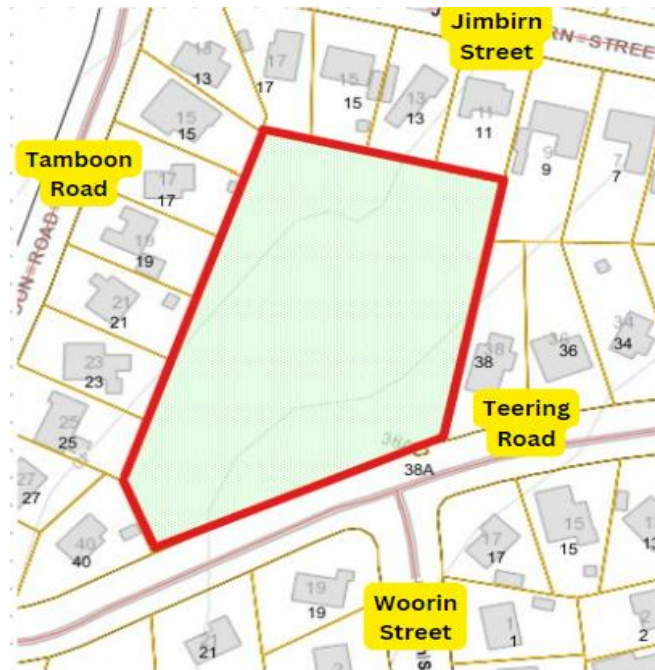


Teering Road, Berriedale

This property is zoned Open Space and is approximately 7,052 square metres in area. The land would require a rezoning application to pursue residential development. The land is otherwise underutilised. Any development of the land would be subject to the requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 6*, below and photos of the land are included in Attachment 5.

Figure 6 – Location and approximate boundaries of Teering Road, Berriedale

Mason Street, Claremont

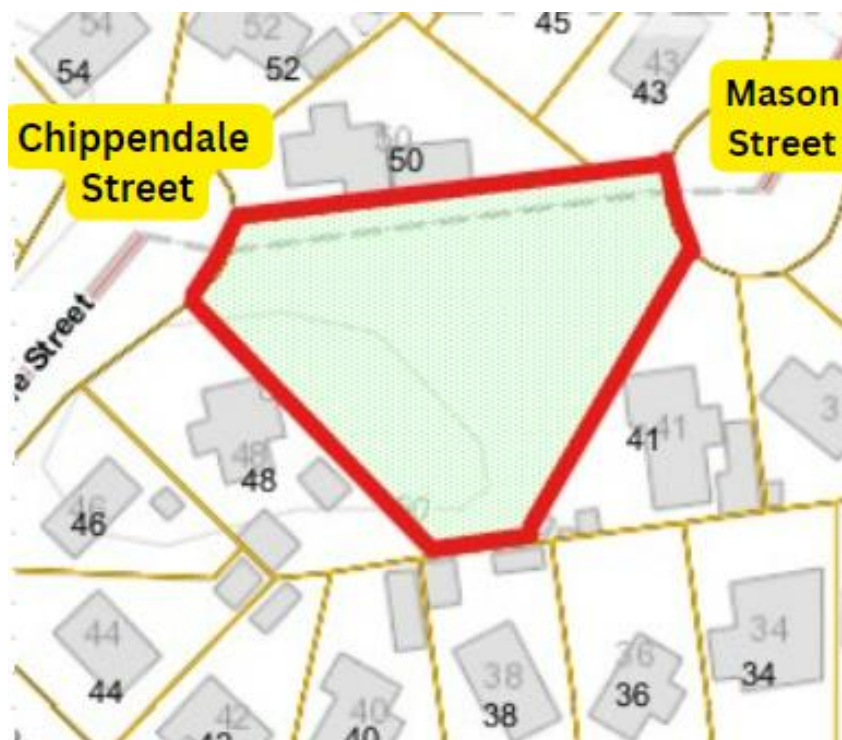
This property is zoned Open Space and is approximately 2,208 square metres in area. The Land would require a rezoning application to pursue residential development. The land is otherwise underutilised.

As the land has a common law dedication of public footpath between Chippendale Street and Mason Street, this property would also require a subdivision to retain the footpath.

Any development of the land would be subject to the requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 7*, below and photos of the land are included in [Attachment 6](#).

Figure 7 – Location and approximate boundaries of Mason Street, Claremont



Cutler Place, West Moonah

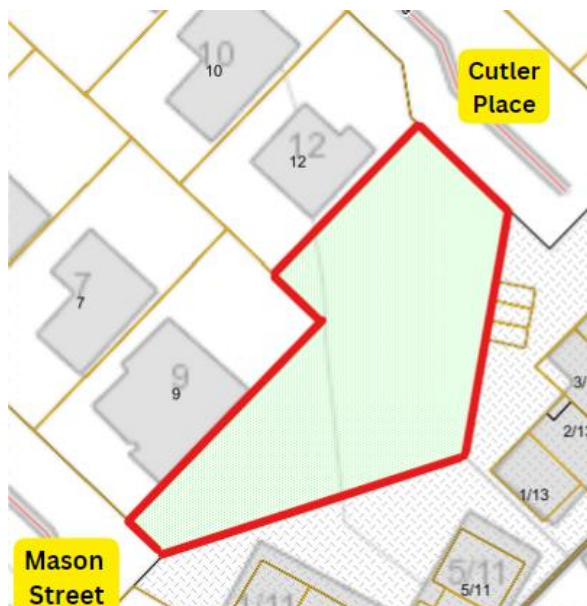
This property is zoned General Residential and is approximately 1,457 square metres in area. This property would not require a planning scheme amendment to develop this land for residential uses.

The property has an annotation to the Title that the land is 'set apart for public recreation space', which would reflect a prior decision on subdivision, however this does not encumber the land or interfere with Council's right to sell or develop the land.

Any development of the land would be subject to the requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 8*, below and photos of the land are included in [Attachment 7](#).

Figure 8 – Location and approximate boundaries of Cutler Place, West Moonah



16b Coleman Street, West Moonah

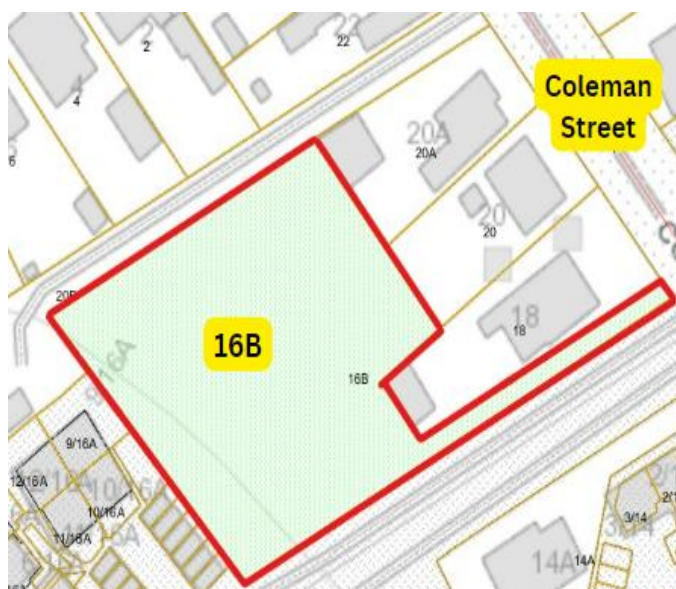
This property is zoned Open Space and is approximately 1,616 square metres in area.

As 16b Coleman Street is zoned Open Space, the land would require a rezoning application to pursue residential development. The land is otherwise underutilised and is in close proximity to the Moonah CBD.

Any development of the land would be subject to the requirements of a planning development application or subdivision application.

A map showing the location of the property is *figure 9*, below and photos of the land are included in [Attachment 8](#).

Figure 9 – Location and approximate boundaries of 16b Coleman St, West Moonah



Process for disposal of public land

If Council adopts the recommendations in this report, officers will conduct further investigations with Council's Legal Team and other officers to remove restrictive covenants and prepare the identified parcels of land for community consultation as part of the process for commencing the potential disposal of the properties under the formal requirements of section 178 of the Act.

Officers will conduct the community consultation process in accordance with Council's Community Engagement Framework, to identify whether there are any serious concerns about the proposed disposal. At a minimum, this would consist of the following:

- developing a survey using Council's 'Let's talk Glenorchy' community engagement platform for consultation with residents. The survey would identify any concerns about the disposals
- placing an advertisement in the Glenorchy Gazette monthly newspaper, encouraging residents to participate in the survey
- promoting the survey via social media platforms, with scheduled reminders to participate in the survey
- sending letters to residents whose properties are located within proximity of the properties, advising of the survey, providing a web address for the survey and providing an option for it to be provided in hardcopy
- promoting the survey in the Council Chambers foyer and notice boards.

After receiving feedback from preliminary investigations and the community engagement process, officers would then report back to Council on these findings to seek a decision on whether to proceed with the statutory land disposal process under section 178 of the Act, which would provide community members with a further opportunity to make representations about the proposed disposals.

Council's *Disposal of Council Land Policy* (the Policy) deems all land owned by Council to be 'public land' for the purposes of the Act.

A resolution of Council to dispose of public land is required to be passed by an absolute majority of Council. If such a resolution were passed:

- the intention must be advertised on two (2) occasions in a daily newspaper circulating in the municipal area, and
- a copy of the notice must be displayed on any boundary of the public land that abuts a highway and notifies the public that objection to the proposal may be made to the General Manager within 21 days of the date of the first publication.

The Policy also provides that, in addition to the notification requirements in section 178 of the Act, Council is required to:

- display a plan and relevant property information on the community notice board in Council's chambers (near the chambers' rear public entrance), and
- notify the owners of neighbouring and affected properties advising of the proposed disposal.

If Council resolves to commence the public notification and consultation process, officers will ensure that the requirements of section 178 of the Act and the Policy are complied with.

Following the completion of the notification, Council is required to consider any objections lodged with objectors having an opportunity to appeal a decision to dispose of the land. This will be provided in a future report to Council.

Consultations:

Director Infrastructure and Works
Manager Property, Environment and Waste
Recreation and Environment Coordinator
Operations and Maintenance Supervisor
Parks and Recreation Coordinator
Coordinator Strategic Planning
Transport Engineer
Senior Legal Council

Human Resource / Financial and Risk Management Implications:Financial

As part of the disposal framework, Council would incur costs associated with the investigations into the potential disposal of the properties, which include administration of the program and community engagement.

The cost for Council's Legal Team and other Senior Council Officers to remove restrictive covenants, annotations on Title and steps required to prepare the Land for community consultation is expected to be approximately \$1,000 per property.

Should the land progress to community consultation, the cost of community engagement, including letters to surrounding residents is expected to be approximately \$400 for each property identified for disposal.

Any other financial implications of the proposed disposals (for example, the costs incurred as part of the section 178 process and any rezoning applications) would be set out in a future report to Council after the completion of the initial community consultation.

If the properties do proceed to disposal, any associated costs are deducted from the proceeds of the related disposal.

Human resources

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

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (2)	Possible (3)	Medium	Council considers all objections received during the initial community consultation process and determines whether to proceed with the disposal at a report to a future Council meeting.
Adverse public reaction to Council's decision to undertake a community engagement process on the proposed disposal of land				
Adverse public reaction to Council's decision to undertake the process of removing restrictive covenants to the Title benefitting the Land and surrounding Titles	Moderate (3)	Possible (3)	Medium	Council's Legal Team would consider all objections and provide feedback to the Property Department.
Do not adopt the recommendation	Moderate (3)	Possible (3)	Medium	Council clearly articulates reasons for not proceeding with undertaking community engagement on the proposed land disposal.
Council will miss the opportunity to dispose of underutilised parcels of land with the potential for those sites to be released for residential development, in keeping with Council's statement of commitment on housing. Council would also forgo the associated maintenance cost savings and sales revenue.				

Community Consultation and Public Relations Implications:Community consultation

As outlined above, the purpose of this report is to recommend that investigations required to prepare the properties for community consultation are conducted prior to proceeding with a community consultation.

A community consultation process would then be undertaken before Council decides whether to commence the formal section 178 process under the Act. This will provide the community opportunity to raise any significant concerns early in the process and give Council an understanding of the community's view of the potential sales.

If the section 178 process subsequently commences, any intention to dispose of the land would be advertised in accordance with the requirements of section 178 of the Act. The public would have the opportunity to make submissions during this period additional to the preliminary community consultation process.

Council's community consultation process for potential land disposals goes above and beyond the requirements specified in section 178 of the Act.

Public relations

The proposed land disposals provide a positive opportunity to demonstrate action against Council's Statement of Commitment on Housing:

“4. As a landowner, release surplus Council owned land to increase residential land supply for housing”.






Council’s Communications and Engagement team will be consulted in relation to potential press releases.

Recommendation:

That Council:

1. RECEIVE and NOTE the update on progress of Council’s current land disposals.
2. ENDORSE the commencement of investigations into the potential disposal of the following Council-owned land:
 - a) Shiraz Court, Berriedale (General Residential) CT 133645/118
 - b) Baltonsborough Road, Austins Ferry (General Residential) CT 141060/101
 - c) 84 Sunshine Road, Austins Ferry (General Residential) CT 128489/91
 - d) Brendan Crescent, Austins Ferry (General Residential) CT14013/6
 - e) Teering Road, Berriedale (Open Space) CT117710/1
 - f) Mason Street, Claremont (Open Space) CT60979/79
 - g) Cutler Place, West Moonah (General Residential) CT6345/15, and,
 - h) 16b Coleman Street, West Moonah (Open Space) CT43660/2
3. AUTHORISE Council staff to undertake investigations to remove restrictive covenants, annotations on Titles and to prepare the Land for the community engagement process.
4. AUTHORISE Council staff to undertake a community engagement process, to identify any concerns about the potential disposal of the Land.
5. REQUIRE a further report to Council summarising the preliminary investigations, feedback received (and identifying any concerns) and seeking approval to proceed or not proceed with the statutory processes for public land disposal.

Attachments/Annexures

- 1 Photos of Shiraz Court, Berriedale

- 2 Photos of Baltonsborough Road, Austins Ferry

- 3 Photos of 84 Sunshine Road, Austins Ferry

- 4 Photos of Brendan Crescent, Austins Ferry

- 5 Photos of Teering Road, Berriedale


6 Photos of Mason Street, Claremont



7 Photos of Cutler Place, West Moonah



8 Photo of 16b Coleman Street, West Moonah



9 Disposal of Council Land Flowchart



12. GLENORCHY CBD SAFETY AND YOUTH ENGAGEMENT UPDATE

Author: Manager Community (Marina Campbell)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Community Safety

Community Plan Reference:

Making Lives Better

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

Building Image and Pride

We will show our pride as a City and others will see it.

Strategic or Annual Plan Reference:

Making Lives Better

Objective: We deliver services to meet our community's needs.

Strategy: Deliver services to our community at defined levels.

Strategy: Identify and engage in partnerships that provide services effectively to our community.

Objective: We champion greater opportunities for our community

Strategy: In partnership with others, facilitate and advocate for a welcoming, inclusive, healthy and learning community

Building Image and Pride

Objective: We work for a safe and clean City

Strategy: Work proactively with other governments, service providers and the community to improve public safety in our City

Objective: We nurture and celebrate our proud and vibrant City with its strong sense of belonging.

Strategy: Welcome diversity and inclusion in our community, creating connections that enable a sense of belonging and acceptance.

Strategy: Deliver or facilitate events to strengthen our community's sense of pride and belonging.

Community Strategy 2021-30

Safe	We are a safe community with a strong sense of belonging, ownership and pride
Goal S1	People, including our most vulnerable, are safe and connected in our community
Goal S2	Public spaces provide for diverse activity and strengthen our social connections

Reporting Brief:

The purpose of this report is to update Council on the effectiveness of actions taken to address public place behaviour in the Glenorchy CBD since the November 2022 Council meeting.

Proposal in Detail:Background of security officers' presence at Council Chambers

In November 2021, Council commenced a trial, stationing two security officers in and around the Council forecourt and surrounding area.

At its meeting on 21 December 2021, Council was formally advised of the trial, and endorsed its continuation until 14 April 2022 (taking the trial up to the Easter break) including authorisation of \$48,400 (exc. GST).

At its meeting on 28 March 2022, Council endorsed a continued security presence until 31 December 2022, noting the likely costs for the remainder of the 2021/22 financial year to be \$24,200 and a total of \$52,800 for the first six months of the 2022/23 financial year. Council resolved to receive a follow-up report in November 2022 and in May 2023 on the outcomes of the trial.

At its meeting of 28 November 2022, Council endorsed a continued presence until 30 June 2023, noting that the likely additional costs are up to \$57,200 (ex GST) for the remaining six months of the 2022/23 financial year.

The security officers are in place on weekdays for five hours per day between 12.00pm to 5:00pm. They patrol the area between the Glenorchy Bus Mall, Main Road, Terry Street and the rear of the Council Chambers building.

Effectiveness of security officer presence

The security officers are positioned as a visible deterrent that have vigilant 'eyes and ears' on public spaces attached to the Council Chambers lawns. The daily reports from the security officers are routinely collated by Council's Safe City Lead and are categorised for internal information sharing purposes. The security officers are reporting numerous occurrences of antisocial behaviour, violence and intimidation. It is important to note that the value of the security officer presence is also measured by what it is deterring and de-escalating, not solely events that are visible. When

incidents occur, face to face management, swift police contact and sharing of intelligence via footage are all aspects of management that contain escalation of incidents. Over time, the data collection will demonstrate patterns and be able to provide measurement of trends.

An important consideration is that Council's security provider and other providers are now servicing several inner city LGAs. As young people are very mobile, it is likely that if services are withdrawn without the implementation of other interventions, Council is at risk of an increase in young people congregating on the Council Lawns and other open spaces to avoid the security presence of other areas. Models other than the two-worker approach are being investigated by Council and the security provider, such as the model provided at Safe Space.

Cost of security presence

As noted in the previous report to Council, the placement of security officers was an unforeseen expense that was not part of Council's 2022/23 budget

Engaging security officers for the current hours is costing approximately \$2,200 per week (exc. GST)

Provision of approximately \$115,000 (exc. GST) has been made in the draft 2023/24 budget to resource the continuance of a security service.

Understanding our young people

Glenorchy City, and particularly the CBD area, has seen a rise in offending and antisocial behaviour of young people. ABC Story *'Surge in Repeat Youth Crime Worries Tasmania Police'* posted on the ABC Website on 8 May 2023 (Lucy Macdonald) addresses the most recent data trends. "Data from the Australian Bureau of Statistics shows there has been a five per cent increase in youth offending in Tasmania in the past year [since 2022]" but that offending "over the longer term show a marked decline - 13 years ago youth offending was three times higher". The Mercury reported in its story *"'Harassed, Bullied' in Youth Crime Chaos"* 8 May, 2023 (Sue Bailey), that there is an increase in recidivist behaviour. In the article, Police Southern District Commander Jason Elmer, acknowledges the long-term decline but is quoted as saying "we are concerned by the growing elements of youths who are recidivist offenders."

There is no doubt that any increase in youth offending is of concern to the community. The concern is twofold, firstly, it impacts on the feeling of safety within the broader community and offending sets young people themselves, on a trajectory that can limit future opportunity and wellbeing outcomes.

2020 pandemic disruptions to educational routines, for some students, adversely affected an already tenuous connection to schools, education, and the ability to engage with building blocks for future personal opportunity. Our understanding of significant social changes from COVID-19 is still being collated as emerging trends are being observed and experienced in real time. A complete understanding of all the COVID -19 and non-COVID-19 influences of a social shift is yet to be defined.

Active Policing of the Glenorchy CBD area

In December 2022 Inspector John Ward and Divisional Sergeant Amanda Hall implemented a visible response to anti-social behaviour with a before and after school (8.30am-9.30am and 2.30pm-5pm) policing regime. This regime has resulted in arrests, cautions, move on directions, contraventions and some summonses. However, generally the police presence is preventative in nature. This presence has resulted in improvement in the 'before school' period of the day, with a visible decrease in incidents and antisocial behaviour of young people. Afternoon police presence is also important and the security officers, Council Youth Engagement Worker and PCYC workers all note that Tasmania Police are very responsive when called.

Inspector James Semmens has recently been appointed as Inspector Glenorchy Division. He has previously worked at Glenorchy police station and has also worked in the policing area of youth and early intervention. Inspector Semmens currently oversees the PCYC and has a strong working relationship with this organisation. Inspector Semmens has given a commitment to continue the before and after school regime.

PCYC pilot

The need for direct intervention resulted in Council engaging PCYC to deliver a pilot to help address the service gaps in local service delivery. The service was established to prioritise:

- youth and community engagement
- improved youth participation in schools and secondary or sporting activities
- increased community access to existing social infrastructure
- improved local vocational pathways; and
- reductions in anti-social behaviours.

During school hours the PCYC 'High Vis' (High Visibility) program operates out of Cosgrove High School, Hobart City High and has a small footprint at Montrose Bay High. The program operates on a platform of connection and engagement with young people and transfers the school-based relationships between the PCYC workers and the young people out into the public space. PCYC operate in the Glenorchy CBD between 3.30pm-5.30pm each weekday and work alongside Council's Youth Engagement Worker. The engagement is intentionally 'low-key' to ensure that young people stay within a zone of relative regulation without getting 'over excited' with structured high energy activities. Workers take a non-judgemental supportive stance that is relationship driven and occasionally has an element of practical support.

Effectiveness of PCYC pilot

Within a relatively short time, PCYC has had some evidence of incremental developments. While PCYC is not an active 1:1 case management service, there are

some individual young people whose level of risk and disengagement has instigated focused work. The service needs time to embed its approach to reengage young people and model positive behaviours. Furthermore, a timely response to reconnecting young people back to the broader community standard, requires a multiagency approach.

The collaboration between PCYC, Council's security provider and Tasmania Police has demonstrated an effective change in the response to incidents in the CBD. This consistent approach between organisations aims to send a message to community that these united efforts are working towards keeping people safe.

Following advocacy from Mayor Bec Thomas and Elected Members, the State Government provided \$50,000 toward this pilot until 30 June 2023.

It is recommended to continue this program for the 2023/24 financial year with a budget allocation of approximately \$100,000. A State Government budget submission has been made requesting this amount however the outcome of that submission will not be known until 25 May 2023, therefore has been included in Council's budget should it not be successful.

Salvation Army Street Teams

The Salvation Army, in conjunction with Your Church (Moonah), launched its Street Teams initiative in the Glenorchy Council Gardens and Bus Mall areas in March 2022 operating initially one day per week and extending to two days per week between the hours of 1:00 pm to 4:00 pm (Wednesday and Friday). The program was coordinated by a social worker employed by Salvation Army, working with trained volunteers from Your Church and City North Church.

The main objectives of the Street Teams were to:

- form connections with local members of the Glenorchy community, particularly young people who frequented the space
- increase positive use of the Glenorchy CBD area
- help tackle some of the areas of concern, such as safety, crime prevention, antisocial behaviour, respond to incidents and bullying amongst the youth; and
- provide passive surveillance within the area.

Following an evaluation by the Salvation Army the pilot was ceased. The evaluation determined that the pilot did not deliver on the specific needs of youth engagement.

Discussions with the Premier and relevant Ministers

Following the co-signed Elected Member's letter, as endorsed in the November 2022 Council meeting, Mayor Thomas, Deputy Mayor Hickey, Aldermen King, Aldermen Dunsby, Aldermen Slade, General Manager Tony McMullen and Council officers met with the Premier Rockliff, Ministers Jaensch, Ellis, Street and Archer on 31 March 2023. At the meeting, Mayor Thomas conveyed the urgency of the need for a State Government response to the increasing antisocial behaviour and youth disengagement issues being witnessed in Glenorchy. The Premier and Minister for Department for Education, Children and Young People (DECYP) acknowledged the work already done by Council and committed to working with Council on a pilot through the implementation of the Youth Justice Blueprint Action Plan. To date, there has been two meetings between Council and DECYP staff in which Council officers have provided DECYP with place-based insights and local observations.

It is understood that a long-term multi-agency approach is required to ameliorate the risks of an entrenchment of a negative youth sub-culture; both with the young people currently engaging in antisocial behavior and with a younger cohort who are currently observing their older peers.

Effectiveness of interventions

Council is gaining a better understanding of our young people and how to respond through our Safe City Lead and Youth Engagement Worker roles and with support to the PCYC program, delivery of the HAPPY Youth Mentor and Full Gear Youth Motorbike Safety programs, in addition to collaboration with Mission Australia Youth Beat.

The combined effort of Council's responses including the security officers, PCYC pilot, Youth Engagement Worker and collaboration with Tasmania Police have been effective in the context as outlined in this report. Change will require a longer response time and a coordinated response with government agencies.

Consultations:

Mayor
General Manager
Director Corporate Services
Director Infrastructure and Works
Executive Manager Stakeholder Engagement
Manager Property, Waste, Environment
Coordinator Community Development
Safe City Lead
Youth Engagement Worker
Property Assets Coordinator
Senior Facilities Officer

Human Resource / Financial and Risk Management Implications:Financial

Engage the security services for the current hours for a further 12 months to 30 June 2024, at approximately \$115,000 (ex GST).

Engage PCYC to continue the delivery of the youth engagement program for a further 12 months to 30 June 2024 at approximately \$100,000 (ex GST).

As noted, both of these have been included in budget bids for the 2023/24 financial year. Council was invited to make a submission to the State Government for funding toward the PCYC program for the 2023/24 financial year.

Human resources

An outcome of the Community Development review resulted in the recruitment of the Safe City Lead and the interim position of Youth Engagement Worker. Both positions are actively engaged in Council's response to youth engagement and community safety.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Possible (L3)	Medium	Continue to monitor the operation of the security officer response. Continue to work strongly with Tasmania Police and PCYC to create an environment within the CBD that is welcoming, safe and does not tolerate poor behaviour.
There is a risk that Council is perceived as a pseudo police force – which is not a sustainable long-term solution. Implementation is expensive and may also shift the issue to other areas within the municipality.				
Do not adopt the recommendation	Moderate (C3)	Almost Certain (L5)	High	Continue to work strongly with Tasmania Police, PCYC to create an environment within the CBD that is welcoming, safe and does not tolerate poor behaviour. Continue to monitor other more cost-effective actions to reduce this behaviour in the CBD and report back to Council as options become available.
The pre-existing behaviours in and around the Council forecourt may revert as they were prior to the security presence and PCYC pilot, thus normalising those behaviours to the CBD area.				

Community Consultation and Public Relations Implications:Community consultation

Community feedback is currently being received via collaborative initiatives with organisations including:

- Local primary and secondary schools
- Mission Australia Youth Health Service (South)
- Migrant Resource Centre
- Metro Tas
- Glenorchy Library
- St Vincent de Paul Society Tasmania
- Troublesmiths (Impact Communities)

Ongoing external consultation continues with:

- Tasmania Police - Glenorchy Station
- The Salvation Army
- PCYC
- Department for Education Children and Young People

Public relations

Council is sharing information about what is being done to address poor behaviour in the Glenorchy CBD through its media channels, Facebook, and website, and in a recent Gazette article. Council will continue to keep the community informed about actions undertaken – as evidenced by the positive article in the May 2023 Gazette on Council's HAPPY youth mentor program.

Recommendation:

That Council:

1. NOTE this update report on initiatives underway to address youth engagement and CBD safety
2. REQUEST Council give serious consideration to funding for ongoing security and the PCYC program, included in the 2023/24 Council budget, noting the latter expenditure would be offset if the State Government grant is successful
3. REQUEST an update report to the November 2023 Council meeting on public space behaviour in the Glenorchy CBD, particularly the effectiveness of using security guards, continued trial of the PCYC and collaborative approach with DECYP and any other grant funding available.

Attachments/Annexures

Nil.

13. GLENORCHY PARKING STRATEGY REVISION

Author: Manager Infrastructure, Engineering and Design (Patrick Marshall)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Parking Strategy

Community Plan Reference:

Making Lives Better

Our city is easy to get around, with a range of transport choices available to visit family or friends or to access services. The city is well-connected by extensive and well-maintained walking and bike paths, public transport and road networks.

Strategic or Annual Plan Reference:

Building Image and Pride

Objective: We work for a safe and clean City.

Strategy: Maintain our roads, footpaths, trails, parks, playgrounds, open spaces, stormwater and building assets so they are functional, safe and clean.

Valuing our Environment

Objective: We improve the quality of our urban and rural areas as places to live, work and play.

Strategy: Working proactively with providers, manage the City's transport infrastructure sustainably to secure accessible, safe and reliable transport options for everyone.

Reporting Brief:

To present the revised Glenorchy Parking Strategy 2017-2027 and Action List to the Council for adoption.

Proposal in Detail:

After conducting an internal review on this Strategy and Action List a workshop was held with Elected Members which provided valued feedback and direction on new priorities. This report recommends the adoption of a revised Glenorchy Parking Strategy 2017-2027 and Action List for Council to implement.

Background

The Glenorchy Parking Strategy 2017-2027 was originally developed by a working group in 2015, which consisted of Elected Members, staff, and members of the business community. The group was tasked with reviewing previous parking studies

and working documents to ensure that Glenorchy's parking arrangements were fit for purpose, accessible and were suitable for the needs of the community and the business sector, for now and into the future.

The working group identified five (5) main themes that set the principles of the Strategy which are:

- Parking Infrastructure
- Parking Management
- Parking Enforcement
- Parking Finance, and
- Parking Education.

The working group developed a strategy statement for each theme, along with a list of actions for implementation that addressed each statement.

The main objective of the Strategy is to manage the supply and use of parking lots in line with the larger strategic direction of the municipality's growth and development, which takes into account both Council managed car parks and car parking associated with private development.

It is important to note that parking supply can encourage economic activity and promote the use of other forms of transport. Parking supply is a major consideration in Glenorchy and the Tasmanian Planning Scheme to ensure developers provide adequate parking arrangements suitable to the type and size of the development being proposed. Taking these factors into account this Strategy aims to ensure there is adequate parking supply and access through the implementation of the Strategy's five main themes.

Progress to Date

After conducting the internal review, staff quickly identified that the original Action List that was developed by the working group was ambitious and in hindsight, disconnected from what could be practically achieved within the available Council resources. There are also some action items that are now outdated and no longer relevant. In total, there were 29 actions, with 12 high, 16 medium, and one (1) low priority.

To date, 11 actions have been completed, which equates to 38% of the total actions, with four (4) high priority and seven (7) medium priority actions being completed. Additionally, 10 actions are ongoing, and eight (8) actions need to be updated.

The reviewed Strategy and Action List have been structured to ensure the actions can be implemented within Council's available resources and can also be built upon as actions are completed or additional resources become available.

Purpose of the Review

The purpose of the review is to update the Glenorchy Parking Strategy to ensure it captures current trends and market demands within the five (5) years review cycle and considers future changes that are looming on the horizon. The current Strategy

themes are deliberately broad which allows for some flexibility in considering the relevance of the Action List. It is also recommended that the Action List priorities and timelines be updated while taking into account available resources and setting clear priorities.

What Has Changed?

Since the previous Strategy was developed there have been several changes in the transport and parking environment including, but not limited to the following:

- in 2019, the Hobart City Deal was signed, which has changed some of the priorities in the Strategy
- the planned Claremont Park and Ride facility proposed by the Department of State Growth
- the Northern Suburbs Transit Corridor being announced as a Rapid Bus Transport mode
- the Northern Apartments Corridor Specific Area Plan is now being prepared by Council, which will allow denser development along parts of the transport corridor
- there is a movement towards the reduction of the amount of parking in urban areas to encourage other forms of transport, such as public transport, active transport and ride share options
- in 2021 the Greater Glenorchy Plan was completed. This included parking maps for the Glenorchy CBD areas to assist visitors/shoppers to find available parking locations
- finally, there has been substantial changes in the use of technology, such as Google Maps, driverless cars, ride share, and the ways goods can be delivered, which will progressively in time have an impact on the Parking Strategy and Action List priorities.

Key Actions Identified

In consultation with the Council at a previous workshop, the following Action List items have been identified as being a high priority for Council staff to focus on implementing:

1.1	Review the existing Council's 'Commercial Precincts Car Parking Plan' and develop separate car parking plans for each commercial precinct.
1.2	Review Council owned car park layouts to accommodate adequate accessible parking spaces.
1.5	Explore the options for parking facilities for electric cars and bikes and develop a plan for providing electric car/bike parking spaces in Council owned car parks.

1.6	Develop a plan for parking directional signs within Glenorchy.
2.1	Explore the options for 'Residential Parking Permit Scheme' and develop a procedure for implementing the scheme if it is feasible and cost effective.
2.4	Review the current situation of cash-in-lieu and develop a 'Cash-in-lieu for Car Parking' policy including the current cash-in-lieu amount and the circumstances in which it is applied
2.9	Develop a procedure for assessing requests for the issuing of parking permits and leasing Council's owned car parking spaces.

Consultations:

The original Glenorchy Parking Strategy was a subject of extensive community engagement. The revision of the Strategy has included a workshop with Council and consultation with staff across Council.

Human Resource / Financial and Risk Management Implications:

By focussing available resources on the Key Actions there are no material human resources or financial implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Responsible officers will continue to monitor action items to determine if any further changes to priorities and timeframes are required.
The adoption of the updated strategy will focus Council's resources on the critical issues identified allowing Council to stay ahead of the curve in terms of parking management in the municipality. There is a low risk that some of the action items may take several years to complete, however these are seen as a low priority.				
Do not adopt the recommendation	Minor (C2)	Likely (L4)	Medium	Council will need to seek additional funding to complete the remainder of the parking strategy actions.
Council will be unable to prioritise actions to suit the current parking environment. This could lead to the inefficient use of Council resources and parking issues within the municipality.				

Community Consultation and Public Relations Implications:

The updated strategy will be publicised via Council's media channels, including the Glenorchy Gazette and will be available on Council's website.

Recommendation:

That Council:

1. ADOPT the reviewed Glenorchy Parking Strategy 2017-2027 in Attachment 1 in unchanged form.
2. ADOPT the revised Action List priorities, timelines, and measures, in the form of Attachment 2 to better align with current trends and available resources.

Attachments/Annexures

- 1 Glenorchy Parking Strategy 2017-2027 - 2023 Review



- 2 Glenorchy Parking Strategy - Action Update 2023



ENVIRONMENT

Community Goal – Valuing our Environment

14. SUBMISSION ON THE DRAFT TASMANIAN PLANNING POLICIES

Author: Senior Strategic Planner (Lyndal Byrne)
Qualified Person: Director Infrastructure and Works (Emilio Reale)
ECM File Reference: Planning Reform

Community Plan Reference:

Making Lives better

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

Open for Business

We will create a strong economy and jobs for the future. We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration. We will be a place where business can establish, continue and flourish.

Leading our Community

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

Valuing our Environment

We will value and enhance our natural and built environment.

Strategic Plan Reference:

Making Lives Better

Objective: We champion greater opportunities for our community
Strategy: Work with others to improve access to housing and transport choices for our community.

Open for Business

Objective: We value our community by delivering positive experiences
Strategy: Build and maintain relationships with government and the private sector that create job opportunities and help our City to prosper.
Strategy: Work constructively with the development sector and our community to enable acceptable development opportunities.

Leading Our Community

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests

Strategy: Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes for Glenorchy and Greater Hobart.

Strategy: Ensure our City is well planned and prepared to minimise the impact of emergency events and is resilient in responding to and recovering from them.

Valuing our Environment

Objective: We protect and manage our City's natural environment and special places now and for the future

Strategy: Identify and protect our natural values and special places including Wellington Park and the River Derwent foreshore.

Reporting Brief:

To seek Council's endorsement of a submission to the Tasmanian Planning Commission on the draft Tasmanian Planning Policies.

Proposal in Detail:

The draft Tasmanian Planning Policies (TPPs) were released for exhibition from Tuesday, 28 March 2023 until Monday, 26 June 2023. A copy of the draft TPPs, Background Report and Explanatory Document is [Attachment 1](#).

The draft TPPs were prepared by the State Planning Office (SPO) and the Minister for Planning directed the Tasmanian Planning Commission (Commission) to undertake the exhibition. After the exhibition finishes, the Commission will hold public hearings on representations received and make recommendation on whether the draft TPPs should be approved or modified. The Minister for Planning will consider the Commission's recommendations and finalise the TPPs. The SPO believes the TPPs will be finalised by the end of 2023.

What are the TPPs?

The Tasmanian Planning Policies are a planning instrument made under Part 2A of the *Land Use Planning and Approvals Act 1993* (LUPAA). They aim to provide consistent, high-level planning policy direction that will guide planning outcomes delivered through Regional Land Use Strategies (RLUS) and the Tasmanian Planning Scheme (TPS).

The TPPs need to be implemented through these other planning instruments, so they are not self-executing and cannot be used to directly override decisions on development applications made under other parts of the land use planning system.

Figure 1 shows how the TPPs fit into the planning system.

Section 12B of the *Land Use Planning and Approvals Act 1993* (LUPAA) provides that the TPPs may relate to:

- (a) *the sustainable use, development, protection or conservation of land;*
- (b) *environmental protection;*
- (c) *liveability, health and wellbeing of the community;*
- (d) *any other matter that may be included in a planning scheme or a regional land use strategy.*

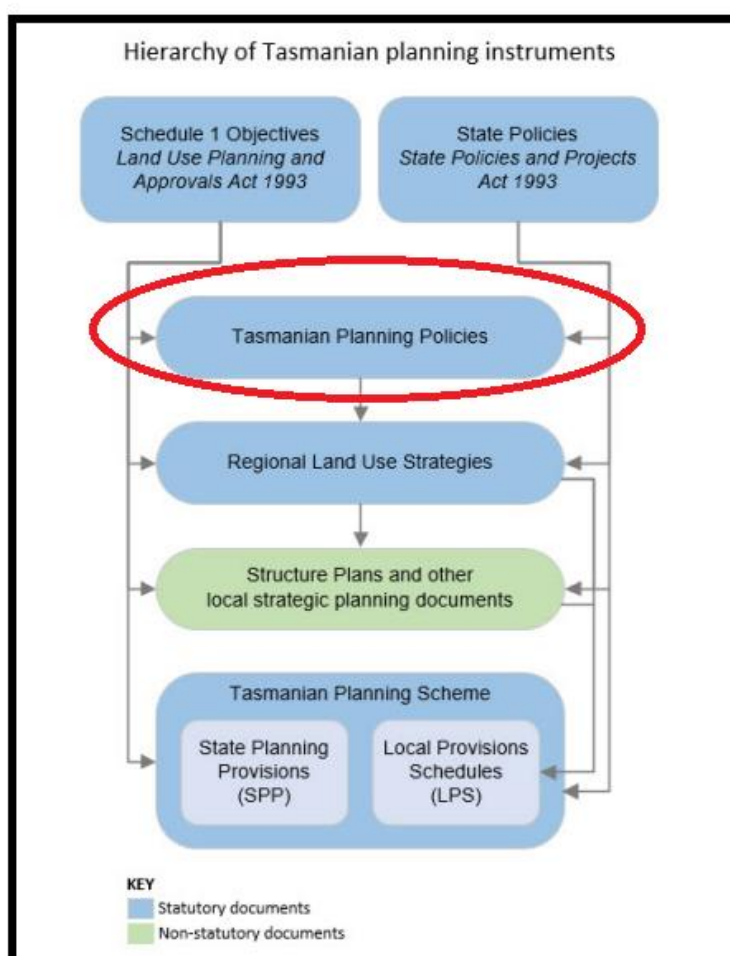


Figure 1 – Hierarchy of Tasmanian Planning Instruments (Source SPO)

The draft TPPs

The State Planning Office released a Scoping Paper for the TPPs in April 2022 and an early version of the TPPs for comment from 19 September to 1 November 2022. Council provided feedback about content and drafting on these early versions.

The draft TPPs aim to deliver policy through seven broad land use planning topics: Settlement, Environmental Values, Environmental Hazards, Sustainable Economic Development, Physical Infrastructure, Cultural Heritage and Planning Processes.

The policy intent of the draft TPPs is to be delivered through the ‘objectives’ and ‘strategies’ relevant to each of the TPP topics, as shown in the structure of the draft TPPs in Figure 2 – Structure of draft TPPs. It is noted that each topic includes a climate change statement.

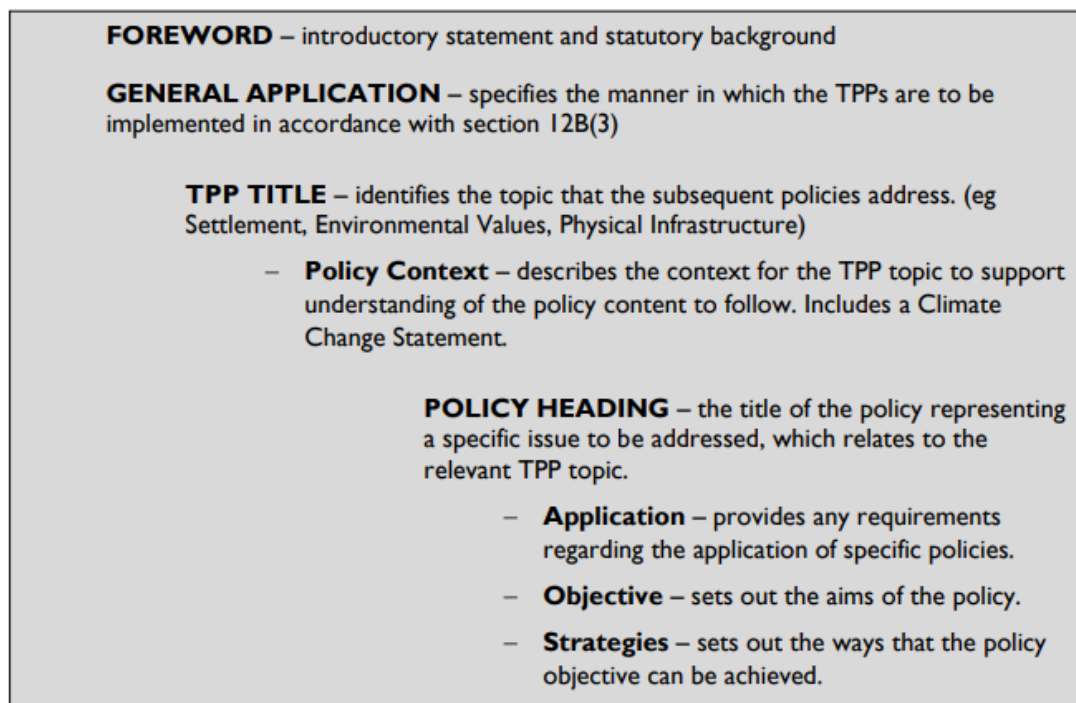


Figure 2 – Structure of the draft TPPs

Feedback on the draft TPPs

The draft TPPs have been reviewed by Council’s Strategic Planning Team, with input from staff in other sections/departments (including planning services, infrastructure, community services). Feedback was sought from elected members during the Council workshop held on 8 May 2023. The key comments on the draft TPPs are:

- generally supportive of all the policy intent
- good to see the inclusion of policy on:
 - social and affordable housing
 - good urban design
 - active transport
 - water sensitive urban design
 - infrastructure contributions.

- The document needs a good edit:
 - it is too long (at 59 pages this is not effective policy that the community can engage with)
 - the role of the document is unclear, it appears to be duplicating Regional Land Use Strategies and State Planning Provisions
 - the document duplicates other State policies and the Schedule 1 Objectives of LUPAA
 - there is conflict within and between policies
 - the language needs to be reviewed, many 'strategies' are written as 'objectives' or are too detailed and belong in the SPPs. This confuses the role of the document as high-level policy.
- Strategy 1.1.3.8 that allows expansion of the Urban Growth Boundary is not supported in a high-level policy document. Policy should promote what we want to achieve, not identify opportunities for non-compliance.
- Policies on the cumulative impacts of biodiversity loss and impacts of development beyond the site are needed.
- The policy position on 'intolerable risk' should be that development is not supported, not to identify ways to develop around significant risk.
- The policy statements in the TPP topic 4.0 Sustainable Economic Development appears to 'pick winners'. This is not the role of policy and could potentially mean that new innovation options are not supported.
- A policy statement on waste management is needed.
- The TPP topic 7.0 Planning Process would be more effective if included in a TPC Practice Note.

The full detailed submission is included in Attachment 2, and it is recommended that Attachment 2 be provided to the Commission as Council's representation on the draft TPPs.

Consultations:

Elected Member Workshop

Manager Development (Planning Services and Environmental Health)

Manager Infrastructure, Engineering and Design (Traffic and Hydraulics)

Manager Property, Environment and Waste (Environment and Property)

Manager Community (Social Planning and Community Development)

Director Infrastructure and Works

Human Resource / Financial and Risk Management Implications:

Human Resources / Financial

Review of the TPPs and responses on the next steps of the project, such as the Commission's Panel hearings, will be managed within the Planning Services budget.

Risk management

It is considered that there is no material risk to Council if it does not provide a response to the draft TPPs. However, Council officers have identified a few matters that it is considered would result in improved policies. Participation in these processes, and provision of responses to the State Government ensures Council's views are represented.

Community Consultation and Public Relations Implications:

The draft TPP have been released by the Commission for community consultation.

Council officers also attended a Council workshop to seek Elected Member's views on the draft TPPs.

Recommendation:

That Council:

1. ENDORSE the representation on the Draft Tasmanian Planning Policies at Attachment 2 for submission to the Tasmanian Planning Commission.

Attachments/Annexures

- 1 Draft TPPs, Background Report and Explanatory Document



- 2 Submission on the Draft TPPs



GOVERNANCE

Community Goal – Leading our Community

15. PROPOSED WASTE MANAGEMENT AND LANDFILL FEES AND CHARGES 2023/24 FINANCIAL YEAR

Author: Waste Services Coordinator (Evan Brown)
Qualified Person: Director Infrastructure and Works (Emilio Reale)
ECM File Reference: Waste Fees and Charges

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.

Valuing our Environment

We will value and enhance our natural and built environment.

Strategic or Annual Plan Reference:

Leading Our Community

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests.
Strategy: Manages the City's responsibly for the long-term benefit and growth of our community.

Valuing our Environment

Objective We protect and manage our City's natural environment and special places now and for the future
Strategy Manage waste responsibly and innovate to reduce waste to landfill.

Reporting Brief:

This report addresses the setting of annual waste management and landfill fees and charges for the 2023/24 financial year as required by s. 205 of the *Local Government Act 1993*.

Early consideration of fees and charges is necessary to allow for renewals for some areas to be sent out in June to enable renewal of registration, licences, or permits in time for the start of the 2023/24 financial year. It also allows for up-to-date signage to be ready (e.g. waste management signs) and for receipting systems to be prepared.

Proposal in Detail:

Council annually sets fees and charges under the *Local Government Act 1993* and these form part of its overall budget. Council's proposed waste management fees and charges for the 2023/24 financial year have been formulated in line with the goals of the revised Waste Management Strategy.

The revised fees are intended to:

- continue to allow Council to provide a high-quality, cost-effective and flexible kerbside collection service
- continue to encourage and incentivise separation of waste, and to extend the life of the landfill, by charging an appropriate rate for mixed waste in particular commercial waste
- achieve consistency with other councils so that residents and businesses from outside the municipality will be more inclined to use their own local service, and
- continue to encourage safe disposal of domestic asbestos, tyres and other controlled domestic waste.

1. KERBSIDE COLLECTION CHARGES FOR 2023/2024

Council's standard kerbside collection service is a fortnightly 140L garbage bin, and a fortnightly 240L recycling and FOGO bin service. Council allows residents to reduce the size of recycling and FOGO bins to 140L at no cost. Council also provides the ability for residents to increase the size of their garbage bins to 240L at a pro-rata cost.

Council provides shared waste services to some unit complexes and multi-unit dwellings under its Waste Services Policy.

Unit complexes and multi-unit dwellings with shared bin arrangements are provided a weekly service on alternative days for garbage, recycling, and FOGO with the number of bins and sizes calculated and negotiated with these residents. Shared bins ensure issues like space encroachment and accessibility on both private land and on the kerb are managed appropriately.

Council also provides services to other tenement types, including limited commercial services and some special circumstance weekly garbage and recycling services.

Residential kerbside garbage and recycling collection

For the 2023/24 financial year, a collection fee increase of 5% is proposed for residential garbage and recycling kerbside collection. The proposed increase in kerbside garbage is required to offset the overall increases in expenses for garbage collection and disposal, which includes inflation, collection contract increases (which increased by 6.5% this financial year), disposal, administration and the transport index.

This will also allow Council to sustain the cost of the \$21.36 per tonne state-wide levy.

Residential Food Organic and Green Organic (FOGO) collection charges

Since the introduction of FOGO, Council has been able to divert over 16,500 tonnes of organic waste from landfill.

For the 2023/24 financial year, it is proposed to increase the fee for FOGO collection by 5% from \$81 to \$85 for all properties that receive the FOGO service. The increase will cover associated costs for the service which includes inflation, collection contract increases (which increased by 6.5% this financial year), disposal, administration and the transport index.

Commercial kerbside garbage, FOGO and recycling collection

Non-residential tenements (i.e. commercial premises) can participate in the kerbside FOGO garbage and recycling collection service, with bins emptied weekly or fortnightly.

To continue to provide this service it is proposed to also increase all commercial garbage, recycling and FOGO by 5% from last year (consistent with the increases for the residential services). The commercial service fees do not attract any GST. There will be no difference in the fee for both FOGO and recycling collections, irrespective of whether premises have a 140 litre or 240 litre bins. The relevant charge will also be the same for both commercial and residential premises.

The proposed increase in charges for the relevant categories are set out in the following table:

SERVICE TYPE	2022/2023 fees	Increase %	Increase amount	Final rounded charge 2023/2024
Standard Service				
Residential Garbage – 140L F/N	\$102.00	5%	\$5.00	\$107.00
Residential Recycling – 140L/240L F/N	\$105.00	5%	\$5.00	\$110.00
Residential FOGO – 140L/240L F/N	\$81.00	5%	\$4.00	\$85.00
Change bin from 240L to 140L	No charge	N/A	N/A	No charge
Residential Garbage - 240L F/N (increase bin size from 140L)	\$179.00	5%	\$9.00	\$188.00

Shared Services						
Residential Shared Services	Garbage –	\$102.00	5%	\$5.00	\$107.00	
Residential Shared Services	Recycling –	\$105.00	5%	\$5.00	\$110.00	
FOGO Shared Service		\$81.00	5%	\$4.00	\$85.00	
Other Services						
Commercial 140L F/N	Garbage –	\$177.00	5%	\$9.00	\$186.00	
Commercial 140L W	Garbage –	\$309.00	5%	\$16.00	\$325.00	
Commercial 240L F/N	Garbage –	\$304.00	5%	\$15.00	\$319.00	
Commercial 240L W	Garbage –	\$528.00	5%	\$26.00	\$554.00	
Commercial 140L & 240L F/N	Recycling –	\$105.00	5%	\$5.00	\$110.00	
Commercial 140L & 240L W	Recycling –	\$208.00	5%	\$10.00	\$218.00	
Commercial FOGO – 140L & 240L F/N (New Service)		\$81.00	5%	\$4.00	\$85.00	
Special Garbage – 140L F/N		\$204.00	5%	\$10.00	\$214.00	
Special Garbage – 240L F/N		\$350.00	5%	\$18.00	\$368.00	
Special Recycling – 140L & 240L F/N		\$208.00	5%	\$10.00	\$218.00	
Special FOGO – 140L & 240L F/N		\$210	5%	\$10.00	\$220.00	
Notes:						
1. W – weekly, F/N – fortnightly.						
2. All Residential tenements may upgrade their garbage service type from a 140-litre service to a 240-litre service fortnightly by paying the relevant charge listed above. There is no minimum number of residents required to utilise this service. Upgrades are required to be applied for by the resident/ratepayer for the property.						
3. Weekly collections are for unit complexes only. However, all individual bin service residents have the option to upgrade to weekly collection by arrangement directly with Council’s kerbside garbage collection provider, (Veolia).						
4. Special circumstance garbage, FOGO and recycling is a fortnightly service that manages a number of existing circumstances.						

2. JACKSON STREET WASTE MANAGEMENT CENTRE CHARGES FOR 2023/24

Concession tip passes

It is appropriate that community groups or individuals that are undertaking Council approved clean ups on Council owned or managed land (e.g. Bushcare clean-ups) are not charged for depositing that waste to landfill. In these circumstances, Council absorbs the disposal and levy cost associated with the works undertaken. It is proposed that this arrangement continues as long as the works have been pre-approved by Council. However, it is not appropriate that Council covers the costs for waste disposal and the levy for works on land that is not Council owned or managed, as this directly conflicts with the principles of user pays and waste minimisation. Such an arrangement would result in rate payers covering the costs of other's waste as well as provide no incentive for the groups to minimise waste volumes.

As part of the recent introduction of the state-wide waste levy, the State Government has included within its Waste and Resource Recovery legislation an assistance program for charity groups, in particular charitable recyclers.

It is a statutory function of the State Government (Tasmanian Waste and Resource Recovery Board) to administer an assistance program to assist charitable recyclers. This process was developed after consultation with Charitable Recycling Australia, taking into account their advice that a rebate program was a more effective mechanism than an exemption. This rebate is provided by application directly to the State Government by the charity.

Based on this information, no exemption is proposed to be given to other charity or community organisation disposing of waste to the Jackson Street landfill, as these groups are eligible for the rebate by applying directly to the State Government (Waste Board).

Council officers do recommend however that any future or existing community group, not-for-profit, or charity should be charged at the discounted local resident rate of \$122 per tonne (includes the levy charge) rather than the standard commercial mix waste charge of \$250 per tonne, except for those community groups undertaking Council approved clean ups on Council owned or managed land, the disposal and levy cost of which Council would absorb as detailed above.

Tyres

Tyres will still be accepted and charged per unit, with prices to reflect the cost of handling and disposal.

Asbestos and controlled waste

Council receives around 200 tonnes of commercial asbestos and around 50 tonnes of domestic asbestos per annum.

It is recommended to continue to accept domestic car boot loads of asbestos from residents, with the requirement that it must be double wrapped. The charges for a boot load (\$52) or trailer load of asbestos (\$104) are proposed to increase by 4% from last year. The minimal increase is designed to encourage people to dispose of asbestos safely.

It is also recommended to cease the acceptance of commercial loads of asbestos and controlled waste, given Council's controlled waste area is now very limited for space and this area should be restricted to the acceptance of domestic loads only to accommodate the needs of Glenorchy residents into the future.

It is noted commercial operators will continue to have alternative disposal options for asbestos and controlled waste outside of Jackson Street, including Copping landfill.

State-wide waste levy

As previously mentioned in this report the state-wide waste levy was introduced on 1 July 2022.

To date Council has collected and paid approximately \$770,000 to the Government in levy charges.

Council effectively is acting as a collection agent, collecting the levy from the customer through gate fees and transferring this directly to the State Government as required under the new legislation. The state-wide waste levy of \$21.36/T (2023/24) is added to all waste types where the levy applies, as per the table below.

Recommended landfill disposal charges 2023/24

The recommended increase in the schedule of charges for the 2023/24 vary depending on the waste type and are set out below. Generally, fees are proposed to increase by around 5% (with rounding) to account for inflation, except for all commercial waste which is proposed to increase by around 30%. This is to encourage better separation of recyclable and reusable materials and to achieve greater diversion, whilst also extending the life of the landfill. Similarly, Council was only charging \$21/tonne plus the levy for clean fill, which is proposed to increase to \$30/tonne plus the levy to further maximise the life of the landfill.

A new fee charge for commercial green waste has been included in 2023/24. Currently there is only a domestic charge when 70% of green waste disposal is from commercial users. By having a separate charge for domestic and commercial allows Council to encourage correct waste separation without having to financially impact on residents through increased gate fees.

The increase on domestic green waste and general mixed waste is to only increase by 3.5 and 3.8% respectively.

Waste type	2022/2023 (Inc GST)	2023/2024 (Inc GST)	Increase %	Proposed final charges 2023/2024 (Includes Waste Levy).
Minimum gate fee	\$13.00 per visit	\$13.00 per visit	0%	\$15.00 per visit
Passenger tyres	\$10.00 each	\$11.00 each	10%	\$11.00 each (levy N/A)
Light truck/ 4wd tyres	\$20.00 each	\$21.00 each	5%	\$21.00 each (levy N/A)
Passenger tyres with Rims	\$20.00 each	\$21.00 each	5%	\$21.00 each (levy N/A)
Light truck/ 4wd tyres with Rims	\$40.00 each	\$42.00 each	5%	\$42.00 each (levy N/A)
Clean fill (conditions apply)	\$21.00 /tonne	\$30.00 /tonne	30%	\$52.00/tonne
Brick/ concrete/ rubble	\$66.00 /tonne	\$86.00 /tonne	30%	\$107.00/tonne
Green waste/ vegetation (Domestic)	\$82.00 /tonne	\$84.70 /tonne	3.5%	\$106.00/tonne
Green waste/vegetation (Commercial)	NA	\$107.00 /tonne	30%	\$128.00/tonne
General waste – domestic GCC residents (cars and single axle trailers only), and community groups.	\$97.00 /tonne	\$107.00 /tonne	3.8%	\$122.00/tonne
General waste – Non GCC residents	\$120.00 /tonne	\$144.00 /tonne	19.7%	\$165.00/tonne
Mattresses	\$21.00 each	\$22.00 each	8.3%	\$26.00 each
Mixed waste – commercial/ industrial/ demolition/ construction (by negotiation)	\$175.00 /tonne	\$228.00 /tonne	30%	\$250.00/tonne
Metal	\$109.00 /tonne	\$115.00 /tonne	5.5%	\$115.00/tonne (levy N/A)
Recycling	No charge	No charge		No charge
Domestic quantity of double wrapped asbestos	\$50.00/ boot load	\$50.00/ boot load	3.5%	\$52.00/ boot load

Waste type	2022/2023 (Inc GST)	2023/2024 (Inc GST)	Increase %	Proposed final charges 2023/2024 (Includes Waste Levy).
	\$100.00/ small trailer load	\$100.00/ small trailer load		\$104.00/ small trailer load (levy N/A)
Asbestos (conditions apply)	\$150.00/sp ecial waste handling fee plus \$180.00/to nne	\$155.00/sp ecial waste handling fee plus \$186.00/to nne		\$155.00/speci al waste handling fee plus \$186.00/tonne (levy N/A)
Controlled waste/ special burial (conditions apply)	\$150.00/sp ecial waste handling fee plus \$180.00/to nne	\$155.00/sp ecial waste handling fee plus \$186.00/to nne		\$155.00/speci al waste handling fee plus \$206.00/tonne
* A driver's licence or valid ID would need to be presented to the tollbooth operator to receive the discounted local resident general waste rate.				

The above charges are dependent on the operation of the weighbridge. Council does have a back-up volumetric charge system on standby in case the weighbridge is out of operation. These back up charges are only used in very rare situations (no usage in the current financial year) and have increased by approximately 3.5% plus rounding.

Waste type (only when weighbridge is non-operational)	Proposed charges 2023/24 (inc GST)
Boot Load (up to a maximum of 0.25m ³)	\$16.00
Green Waste Boot Load	\$16.00
Trucks GVM > 3 tonne to 7 tonne	\$86.00
Trucks GVM > 7 tonne to 12 tonne	\$195.70
Trucks GVM >12 tonne Single Axle	\$281.60
Trucks GVM >12 tonne Dual Axle	\$346.90
Dual axle trailers (behind trucks)	\$346.90
Skip/Bin up to 4m ³	\$117.10
Skip/Bin > 4m ³ to 8m ³	\$225.80
Skip/Bin > 8m ³ to 12m ³	\$366.50
Skip/Bin > 12m ³ to 15m ³	\$461.70
Skip/Bin > 15m ³ to 20m ³	\$602.50
Skip/Bin > 20m ³ to 25m ³	\$712.20
Skip/Bin > 25m ³ to 30m ³	\$820.90
Skip/Bin > 30m ³	\$1040.30
Compactors < 7m ³	\$276.50
Compactors > 7m ³ to 15m ³	\$590.10
Compactors < 15m ³ half full	\$439.90
Compactors > 15m ³ full	\$994.80
Compactors > 15m ³ half full	\$628.40

Consultations:

The proposed fees have been subject to prior reviewed by the Council's Executive Leadership Team.

Human Resource / Financial and Risk Management Implications:

Council's budget and estimates are adopted in part based upon fees and charges income that provides for the operational running of the respective areas of Council. Fee and charge income is a significant proportion of Council total revenue.

The fees and charges recommended for kerbside Garbage, FOGO and Recycling collection have increased by 5%, which is in line with the increased costs of managing these services and is also consistent with other Local Government areas in the region.

The fees and charges have been incorporated into Council's Long-Term Financial Management Plan.

Risk Management

The key risk related to the setting of these fees and charges is whether a fair balance has been achieved between affordability for individuals and costs incurred by Council. Setting of fees therefore considers balancing affordability and costs associated with waste disposal costs and the provision of services.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (2)	Possible (3)	Medium	Reiterate that the proposed fees aligned with market pressures and are reflective of cost increases to providing the services. Reduced rates provided for local residents and community groups for waste disposed at landfill.
Community frustration at increasing fees leading to adverse public relations and negative impacts on Council staff.				
Do not adopt the recommendation	Moderate (3)	Likely (4)	High	Direct Officers to revise the fee and charges proposals in consultation with finance and other internal stakeholders.
If identified fee increases were not adopted as recommended, there may be negative impacts on Council's ability to meet its long-term financial management plan.				

Community Consultation and Public Relations Implications:

Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and from the Customer Service Centre.

The fees and charges for 2023/24 have been formulated in line with Council's budget preparation. In addition to the mandatory increase from the introduction of the waste levy, thought has also been given as to the amount fees and charges should be increased. However, to enable the Council to continue to embrace a policy of user pays, wherever possible, it is necessary that the fees and charges are also increased in line with market pressures.

Care is taken to ensure fees:

- are maintained at affordable levels for local resident users
- apply higher rates for non-residents and commercial users that have alternative disposal options available to them
- represent value for money; and
- reflect costs of service delivery where applicable.

Waste management charges will be reflected in the rates notices and will be published on Council's website. The 2023/24 Landfill fees and charges will be communicated to landfill customers after Council approval through waste disposal information flyers, Council's website, Facebook, mobile apps, price signage boards at the landfill and in the Waste/Recycle Calendar that is issued to all residents annually in July.

If adopted, the key messages to be communicated will be:

- an increase of 5% on all kerbside garbage collection services will be charged to all properties, this increase includes all costs associated with collection contracts, disposal, administration, the transport index, and the associated cost of the state-wide levy introduced by the State Government last year
- an increase of 5% on all kerbside Recycling and FOGO collection services be charged to all properties, this increase will cover all associated costs for the service
- free landfill entry will continue to remain for Council approved clean ups on Council owned or managed land, and all other community groups would be charged at the reduced local resident rate rather than commercial rate. Noting there is also the charity group rebate that can be applied for directly from the State Government by the charity
- cessation of all commercial loads of asbestos and controlled waste, to assist with the longevity of the controlled waste area for domestic loads
- landfill disposal fees will generally increase by approximately 5% (with rounding) to account for inflation, except for commercial general/mixed waste which has increased by approximately 30% to encourage better separation behaviours of recyclable and reusable materials and assist to extend the life of the landfill. In addition, the state-wide waste levy of \$21.36/T is also added to all waste types that the levy applies to.

Recommendations:

That Council:

1. APPROVE the following kerbside fees for the 2023/24 financial year:

SERVICE TYPE	2022/2023 fees	Increase %	Increase amount	Final rounded charge 2023/2024
Standard Service				
Residential Garbage – 140L F/N	\$102.00	5%	\$5.00	\$107.00
Residential Recycling – 140L/240L F/N	\$105.00	5%	\$5.00	\$110.00
Residential FOGO – 140L/240L F/N	\$81.00	5%	\$4.00	\$85.00
Change bin from 240L to 140L	No charge	N/A	N/A	No charge
Residential Garbage - 240L F/N (increase bin size from 140L)	\$179.00	5%	\$9.00	\$188.00
Shared Services				
Residential Garbage – Shared Services	\$102.00	5%	\$5.00	\$107.00
Residential Recycling – Shared Services	\$105.00	5%	\$5.00	\$110.00
FOGO Shared Service	\$81.00	5%	\$4.00	\$85.00
Other Services				
Commercial Garbage – 140L F/N	\$177.00	5%	\$9.00	\$186.00
Commercial Garbage – 140L W	\$309.00	5%	\$16.00	\$325.00
Commercial Garbage – 240L F/N	\$304.00	5%	\$15.00	\$319.00
Commercial Garbage – 240L W	\$528.00	5%	\$26.00	\$554.00
Commercial Recycling – 140L & 240L F/N	\$105.00	5%	\$5.00	\$110.00
Commercial Recycling – 140L & 240L W	\$208.00	5%	\$10.00	\$218.00

SERVICE TYPE	2022/2023 fees	Increase %	Increase amount	Final rounded charge 2023/2024
Commercial FOGO – 140L & 240L F/N (New Service)	\$81.00	5%	\$4.00	\$85.00
Special Garbage – 140L F/N	\$204.00	5%	\$10.00	\$214.00
Special Garbage – 240L F/N	\$350.00	5%	\$18.00	\$368.00
Special Recycling – 140L & 240L F/N	\$208.00	5%	\$10.00	\$218.00
Special FOGO – 140L & 240L F/N	\$210	5%	\$10.00	\$220.00
Notes: 5. W – weekly, F/N – fortnightly. 6. All Residential tenements may upgrade their garbage service type from a 140 litre service to a 240 litre service fortnightly by paying the relevant charge listed above. There is no minimum number of residents required to utilise this service. Upgrades are required to be applied for by the resident/ratepayer for the property. 7. Weekly collections are for unit complexes only. However, all individual bin service residents have the option to upgrade to weekly collection by arrangement directly with Council's kerbside garbage collection provider, (Veolia). 8. Special circumstance garbage, FOGO and recycling is a fortnightly service that manages a number of existing circumstances.				

2. APPROVE the following disposal charges for the Jackson Street Waste Management Centre for the 2023/24 financial year:

Waste type	2022/2023 (Inc GST)	2023/2024 (Inc GST)	Increase %	Proposed final charges 2023/2024 (Includes Waste Levy).
Minimum gate fee	\$13.00 per visit	\$13.00 per visit	0%	\$15.00 per visit
Passenger tyres	\$10.00 each	\$11.00 each	10%	\$11.00 each (levy N/A)
Light truck/ 4wd tyres	\$20.00 each	\$21.00 each	5%	\$21.00 each (levy N/A)
Passenger tyres with Rims	\$20.00 each	\$21.00 each	5%	\$21.00 each (levy N/A)
Light truck/ 4wd tyres with Rims	\$40.00 each	\$42.00 each	5%	\$42.00 each (levy N/A)

Waste type	2022/2023 (Inc GST)	2023/2024 (Inc GST)	Increase %	Proposed final charges 2023/2024 (Includes Waste Levy).
Clean fill (conditions apply)	\$21.00 /tonne	\$30.00 /tonne	30%	\$52.00/tonne
Brick/ concrete/ rubble	\$66.00 /tonne	\$86.00 /tonne	30%	\$107.00/tonne
Green waste/ vegetation (Domestic)	\$82.00 /tonne	\$84.70 /tonne	3.5%	\$106.00/tonne
Green waste/vegetation (Commercial)	NA	\$107.00 /tonne	30%	\$128.00/tonne
General waste – domestic GCC residents (cars and single axle trailers only), and community groups.	\$97.00 /tonne	\$107.00 /tonne	3.8%	\$122.00/tonne
General waste – Non GCC residents	\$120.00 /tonne	\$144.00 /tonne	19.7%	\$165.00/tonne
Mattresses	\$21.00 each	\$22.00 each	8.3%	\$26.00 each
Mixed waste – commercial/ industrial/ demolition/ construction (by negotiation)	\$175.00 /tonne	\$228.00 /tonne	30%	\$250.00/tonne
Metal	\$109.00 /tonne	\$115.00 /tonne	5.5%	\$115.00/tonne (levy N/A)
Recycling	No charge	No charge		No charge
Domestic quantity of double wrapped asbestos	\$50.00/ boot load \$100.00/ small trailer load	\$50.00/ boot load \$100.00/ small trailer load	3.5%	\$52.00/ boot load \$104.00/ small trailer load (levy N/A)
NOTES: 1. A driver's licence or valid ID would need to be presented to the tollbooth operator to receive the discounted general waste rate for Glenorchy residents. 2. Council no longer accepts commercial disposal of asbestos or controlled waste or special burials.				

Waste type (only when weighbridge is non-operational)	Proposed charges 2023/24 (inc GST)
Boot Load (up to a maximum of 0.25m ³)	\$16.00
Green Waste Boot Load	\$16.00
Trucks GVM > 3 tonne to 7 tonne	\$86.00
Trucks GVM > 7 tonne to 12 tonne	\$195.70
Trucks GVM >12 tonne Single Axle	\$281.60
Trucks GVM >12 tonne Dual Axle	\$346.90
Dual axle trailers (behind trucks)	\$346.90
Skip/Bin up to 4m ³	\$117.10
Skip/Bin > 4m ³ to 8m ³	\$225.80
Skip/Bin > 8m ³ to 12m ³	\$366.50
Skip/Bin > 12m ³ to 15m ³	\$461.70
Skip/Bin > 15m ³ to 20m ³	\$602.50
Skip/Bin > 20m ³ to 25m ³	\$712.20
Skip/Bin > 25m ³ to 30m ³	\$820.90
Skip/Bin > 30m ³	\$1040.30
Compactors < 7m ³	\$276.50
Compactors > 7m ³ to 15m ³	\$590.10
Compactors < 15m ³ half full	\$439.90
Compactors > 15m ³ full	\$994.80
Compactors > 15m ³ half full	\$628.40

3. RESOLVE that community groups, not-for-profits, and charities be charged the discounted local resident rate for waste disposal rather than the non-resident or commercial rate.

Attachments/Annexures

Nil.

16. COUNCIL FEES AND CHARGES FOR 2023/24

Author: Manager Finance (Allan Wise)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Fees and Charges 2023/24

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: We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy: Make informed decisions that are open and transparent and in the best interests of our community.

Objective: We responsibly manage our community's resources to deliver what matters most.

Strategy: Manages the City's responsibly for the long-term benefit and growth of our community.

Reporting Brief:

To present the recommended Schedule of Fees and Charges for the 2023/24 financial year.

Proposal in Detail:

Pursuant to Section 205 of the *Local Government Act* 1993, a fee or charge may be imposed for a wide range of services provided by Council. More particularly, section 205 states:

(1) In addition to any other power to impose fees and charges but subject to subsection (2), a council may impose fees and charges in respect of any one or all of the following matters:

- (a) the use of any property or facility owned, controlled, managed or maintained by the council;*
- (b) services supplied at a person's request;*
- (c) carrying out work at a person's request;*

- (d) providing information or materials, or providing copies of, or extracts from, records of the council;*
- (e) any application to the council;*
- (f) any licence, permit, registration or authorization granted by the council;*
- (g) any other prescribed matter.*

Furthermore, the section also stipulates:

- (2) A council may not impose a fee or charge in respect of a matter if –*
 - (a) a fee or charge is prescribed in respect of that matter; or*
 - (b) this or any other Act provides that a fee or charge is not payable in respect of that matter.*
- (3) Any fee or charge under subsection (1) need not be fixed by reference to the cost to the council.*

A general increase of 3.5% (general increase) has been used in setting the amounts for the 2023/24 financial year, except where there are special circumstances to vary the general increase or full cost recovery is required.

The general increase is in accordance with Council's Long-Term Financial Management Plan.

Fees and Charges by Program

User fees and charges constitute approximately \$13.9 million or 19% of Council's total operating revenue under the draft budget estimates for 2023/24. Below is a table of the forecast revenue from each of the relevant programs if the recommended fees and charges are adopted.

The projected revenue for each program is based on the estimated use of each of the services multiplied by the relevant fee or charge. Therefore, an increase to a fee or charge does not necessarily equate to a corresponding increase to revenue where there is an expectation the use of the service will increase or decrease.

For example, the table shows that revenue from planning and building governance services fees is forecast to decrease by 50% and 6% respectively despite there being a general increase to most fees of 3.5%. The reason for the reduction in revenue is the number of applications is expected to reduce from the record high numbers we have seen over the previous 24 months.

Program	2022/23	2023/24	Change \$
Berriedale Childcare Centre	\$321,623	\$427,697	\$106,074
Benjafield Childcare Centre	\$202,365	\$340,412	\$138,047
Creative Communities	\$49,009	\$71,101	\$22,092
Financial Operations	\$132,000	\$132,000	\$0
Public Compliance	\$878,813	\$909,573	\$30,760
Building Governance	\$1,060,427	\$998,009	(\$62,418)
Environmental Health Services	\$176,826	\$189,177	\$12,351
Planning Services	\$952,824	\$475,500	(\$477,324)
Landfill Operations ¹	\$2,515,880	\$2,603,936	\$88,056
Waste Management Services ¹	\$6,327,582	\$6,930,607	\$603,025
Property Services	\$784,506	\$811,965	\$27,459
Asset Management	\$2,460	\$2,546	\$86
Urban Services	\$47,355	\$49,012	\$1,657
Facilities Maintenance	\$19,680	\$20,369	\$689

¹Fees and charges for Waste Management Services and Landfill are presented in a separate report to this Council meeting.

Summary of Fee Movements *

* Note: Rounding up or down of lower value fees will result in movement outside of the 3.5% general increase.

Animal Control

The general increase has been applied to most fees with the exception of Dangerous Dogs fees which were considered at the April 2023 Council meeting, and the Dog Impound Reclaim fee that has been agreed upon by participating Southern Councils.

Assets

Fees for various asset management, maintenance and investigation services are proposed to increase by the general increase.

Building

Fees for various building governance applications are proposed to increase by the general increase.

Child Care Centres

From 10 July 2023 the Federal Government is changing the Child Care Subsidy (CCS) eligibility rules and rates to be paid to the families. Modelling of the changes indicate some, if not most, families will see a reduction in the gap fee payable to Council even at the proposed fee increase. However, this depends on each individual family's eligibility for CCS and their income and eligibility hours affecting the daily rate.

The modelling indicates we are able to increase parent fees by 12% without significantly impacting many families due to the offsetting increase to the CCS paid by the Federal Government. Also, the proposed fee is still comparable to those being charged within the childcare sector.

Customer Service

The only fee in this category is the cost of purchasing the Glenorchy History Book (Vol 2), which is not proposed to increase beyond its current price of \$47.00 as it is existing stock.

Environmental Health Services

The general increase has been applied to most fees with the exception of the Environment Protection Notice Fee which has been increased to reflect the enforcement process and act as a deterrent. Also, a new Food Business Reinspection Fee has been introduced.

Hall Hire

Fees for various facilities are proposed to increase by the general increase.

Information Management

The cost of lodging a Right to Information application will rise by \$2.00 to \$44.50. This fee is set by legislation and based on the value of 25 fee units. Fee units increase annually and are set by the Department of Treasury.

Landfill

Proposed fees for the Jackson Street Landfill are outlined in a separate report to this Council meeting.

Licences / Permits

Fees for various licences and permits are proposed to increase by the general increase.

Miscellaneous

Fees for miscellaneous services are proposed to increase by the general increase. These fees include public photocopying, producing plans on a plotter and scanning paper copies for electronic lodgement, as well as a time-based fee for researching historic files.

Moonah Arts Centre

The fee structure has been reviewed and simplified following the independent report into the centre's revenue activities. The average increase across the new fee structure is 7.1%.

Parking Permits

Fees for parking permits including the disabled permit is proposed to increase by the general increase.

Planning Services

The individual fees have been reviewed with many increased above the general increase to reflect the resources required to process the application. The average increase across the planning fee structure is 5.1%.

Despite fee increases across the board, there is a forecast drop in revenue from the 2022/23 financial year due to an expected reduction in application numbers following the record numbers in the previous two years.

Plumbing

Fees for building applications is proposed to increase by the general increase.

Property Assets

Fees in this category are proposed to increase generally by 3.5%.

Reserves

Fees for casual use of reserves (ie not covered by separate lease or licence agreements) proposed to increase by the general increase except for recently upgraded reserves at Cadburys No. 1, POW No. 3, Shoobridge Park and North Chigwell Oval which are 18.8% respectively.

Revenue

Fees for issuing section 132 and section 337 certificates has increased in line with the legislated fee-units increase of 4.7% set by Department of Treasury. The minimum monthly charge for holding an account at the Jackson Street landfill is increasing by 3.9%, and no change to the \$30.00 fee for dishonoured payments.

Tolosa Park

Fees for hiring facilities at Tolosa Park are proposed to increase by the general increase.

Waste Management

Proposed fees for Waste Management Services are outlined in a separate report to this Council meeting.

Financial Hardship Policy

A person or business responsible for the payment of Council fees may be eligible for financial hardship assistance if they can demonstrate they are experiencing genuine financial hardship.

Council's Financial Hardship Policy and application form are available on Council's website. Alternatively, applicants can telephone Council and ask that the guidelines and forms be posted or emailed to them.

Consultations:

Executive Leadership Team
Managers and Coordinators
Senior Finance staff

Human Resource / Financial and Risk Management Implications:

Financial

Approximately 19% of Council's revenue comes from user charges. It is therefore a significant part of Council's budgeted income.

Human resources

There are no material human resource implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Adverse public reaction to the decision to increase fees.	Minor (C2)	Possible (L3)	Medium	Communicate to the community that the fee increases have been kept to a minimum, with several fees not being increased and fee increases reflecting increases in the cost of service provision, benchmarked to other providers.
Do not adopt the recommendation Adverse financial implications for Council with a risk of not meeting Long-Term Financial Management Plan revenue objectives.	Moderate (C3)	Unlikely (L2)	Medium	Consider cost savings or service reductions to counteract the revenue shortfall objectives.

Community Consultation and Public Relations Implications:Community consultation

The Schedule of Fees and Charges would be published on Council's website, once adopted.

Public relations

In setting the recommended fees included in the Schedule, Council has tried to balance the need to ensure financial sustainability with minimising the impact on ratepayers and continuing to deliver essential services to the Glenorchy community

Recommendation:

That Council:

1. APPROVE the fees and charges for the 2023/24 financial year as detailed in the Schedule of Fees and Charges forming Attachment 1
2. NOTE that fees and charges for Waste Management and Landfill are subject to approval as part of a separate report to this Council meeting.
3. AMEND the Schedule of Fees and Charges if necessary to reflect any changes to the recommended fees and charges for Waste Management and Landfill arising from Council's consideration of the separate report referred to in item 2.

Attachments/Annexures

- 1 Attachment 1 - Schedule of Fees & Charges 2023-24



17. REQUEST FOR LONG-TERM LEASE AT LUTANA WASTE TRANSFER STATION

Author: Manager Property Environment and Waste (Luke Chiu)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Waste Transfer Station

Community Plan Reference

Open for Business

Our City will be recognised for its economic opportunities and strengths; a place where it is easy to do business.

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.

Valuing our Environment

We will value and enhance our natural and built environment.

Strategic or Annual Plan Reference

Open for Business

Objective We encourage responsible growth for our City

Strategy Maintain a progressive approach that encourages investment and growth

Leading our Community

Objective We are a leader and partner that acts with integrity and upholds our community's best interests

Strategy Build and maintain productive relations with all levels of government, other councils and peak bodies to achieve community outcomes for Glenorchy and Greater Hobart

Objective We responsibly manage our community's resources to deliver what matters most

Strategy Manage the city's assets responsibly for the long-term benefit and growth of our community

Valuing our Environment

Objective	We protect and manage our City's natural environment and special places now and for the future.
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Strategy	Manage waste responsibly and innovate to reduce waste to landfill.
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Reporting Brief

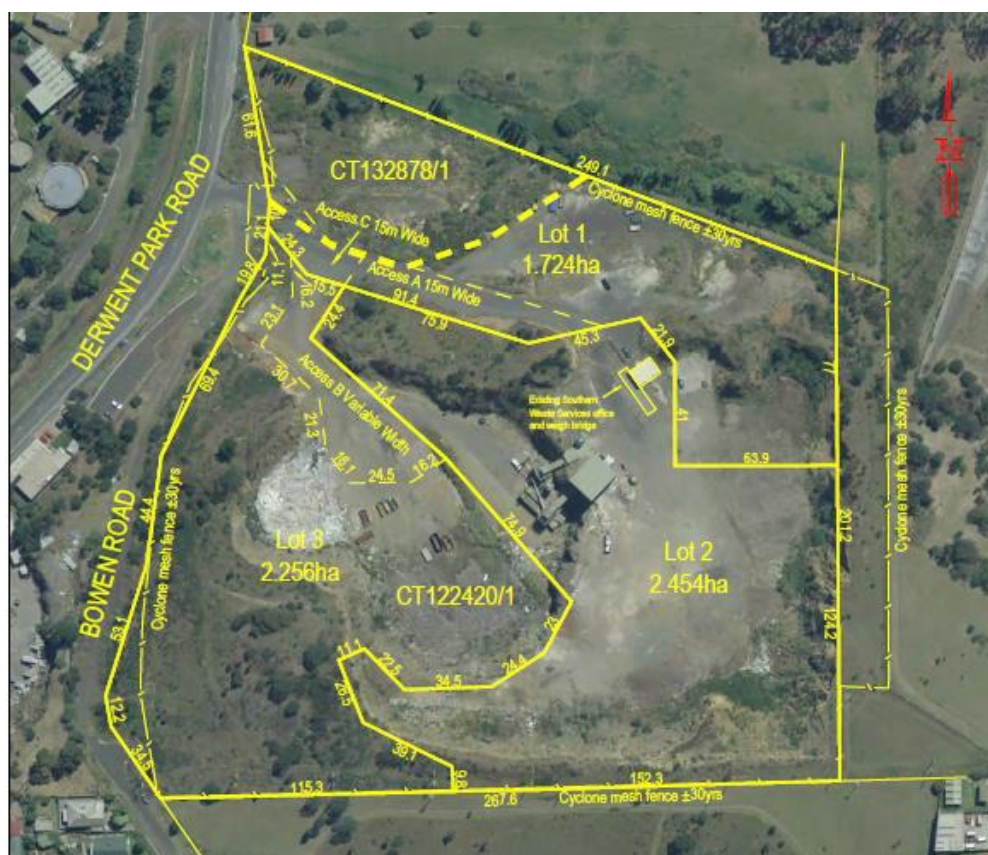
To consider a request from Southern Waste Solutions for a long-term lease over 129 Derwent Park Road, Derwent Park (known as the Lutana Waste Transfer Station), which is jointly owned by Glenorchy City Council and the City of Hobart.

Proposal in Detail

Glenorchy City Council and the City of Hobart jointly own the property at 129 Derwent Park Road, Derwent Park, more commonly known as the Lutana Waste Transfer Station. The site is made up of 2 titles CT132878/1 and CT122420/1 but is divided into three (3) allotments as illustrated in the plan below.

Part of this property has been leased by the Copping Refuse Disposal Site Joint Authority, trading as Southern Waste Solutions (SWS) and used as a waste transfer station since 2013. The site is shown in Figure 1 below.

Figure 1 – Subject Site at 129 Derwent Park Road



SWS currently hold a long-term lease over the area marked as Lot 2 on the above Figure 1. Recently, SWS have requested via both Glenorchy City Council and the City of Hobart (as per Attachment 1) a long-term lease of at least 20 years over the full site, including Lots 1, 2 and 3 in order to redevelop the existing waste transfer site into a modern, regional waste transfer hub. (The whole site encompasses both titles: CT 122420/1 and CT 132878/1.)

Consultation between officers of both Councils indicates that this is a beneficial proposal to both Councils, due to a limited remaining life in their respective landfills (Jackson Street and McRobies Gully). Once these landfills close, both Councils will be reliant on the Copping landfill that is also operated by SWS. Having a regional waste transfer hub located in Lutana/Derwent Park provides significant transport advantages to both Councils.

It is also clear that the location, and existing approvals, of the Lutana Waste Transfer station makes the site very appealing to SWS. The high strategic value of the site further presents Council with an opportunity to negotiate favourable terms on any long-term lease agreement that could potentially include requesting membership to SWS be offered to Council.

Site must be used as a waste transfer station

The site at 129 Derwent Park Road is jointly owned (in equal shares) by the Glenorchy City Council and the City of Hobart. Title to the land was transferred to both Councils by the Crown under Order No. 23 of 2001. Importantly that Order provides that:

“The transfer of the Land to the Glenorchy and Hobart City Councils is subject to a reversionary provision that if the site ceases to operate as a waste transfer station then the site will revert to the Crown”

Requirements under Disposal of Council Land Policy

Council’s Disposal of Council Land Policy deems all land owned by Council to be ‘public land’ for the purposes of the *Local Government Act 1993* (the Act). The land would not otherwise be classified as public land under the Act were it not for Council’s Policy.

Under section 178 of the Act, a lease of public land for a term of greater than five years is classified as a ‘disposal’ and can only be approved in accordance with Section 178 land disposal process as defined in the Act.

Council recently undertook a Section 178 land disposal process for the area marked Lot 2 in Figure 1 of this land in 2021 in order to pursue a long-term lease extension to SWS. As per the Council resolution on this matter in June 2021 the following was resolved:

“5. If no objections are received, APPROVE under Section 178 of the Local Government Act 1993, the disposal of the Land by way of a lease for five-years (plus a five-year option) to Copping Refuse Disposal Site Joint Authority, trading

as Southern Waste Solutions (SWS), subject to a market rent review prior to entry into the Lease”.

On completion of the process, no objections were received and a long-term lease extension for Lot 2 was subsequently provided to SWS, enabling the lease to extend until October 2033.

While all Council owned land is classified as public land under Council’s Disposal of Council Land Policy, and therefore subject to the Section 178 process, in reality this site is a utilities site and is used for industrial purposes only. It is not accessible by the public and is within the General Industrial zone under the Glenorchy Planning Scheme.

Section 177A Public land under the Act

The Local Government Act provides a definition of Public Land as follows.

(1) The following land owned by a council is public land:

- a) a public pier or public jetty;*
- b) any land that provides health, recreation, amusement or sporting facilities for public use;*
- c) any public park or garden;*
- d) any land acquired under section 176 for the purpose of establishing or extending public land;*
- e) any land shown on a subdivision plan as public open space that is acquired by a council under the Local Government (Building and Miscellaneous Provisions) Act 1993 ;*
- f) any other land that the council determines is public land;*
- g) any other prescribed land or class of land.*

This land would not otherwise be classed as public land under the Act’s definitions. However, Council has classed all land as public land under Council’s Disposal of Council Land Policy under Section 177A (1) (f). It is recommended in this instance that Council resolve to exempt this land from Council’s Disposal of Council Land Policy.

In considering the proposal to exempt the land from Council’s Policy, for a long-term lease, there are five key points in focus regarding this potential land disposal process:

- the land would not be classified as Public Land under the Act were it not for Council’s Policy, as it is industrial land that is not accessible to the public
- as per Crown Order No. 23 of 2001 the land must only be used for a waste transfer station
- the Section 178 process undertaken for Lot 2 of the same land in 2021 received no objections
- the request to provide a long-term lease to SWS to redevelop and operate a waste transfer station is a continuation of the existing use

- The City of Hobart are also considering the same proposal with a recommendation to approve the long-term lease. (This land is not considered Public Land under the City of Hobart Policy).

For the above reasons it will be recommended that Council resolves that this land is not considered Public Land. Such a resolution will negate the need for Council to undertake a Section 178 process. In the above context, it would appear to be an unnecessary and inefficient use of Council resources and contradict the allowable purpose of this land under the Crown Order and the Industrial zoning. The City of Hobart does not consider this land to be public land and do not intend to undertake a Section 178 process.

Consultations

Council officers have been in consultation with the City of Hobart to harmonise a joint commercial approach. The issue has also been discussed with the parties in relation to the longer-term strategic options for the site.

SWS will be advised of the Council's decision and the two Councils (City of Hobart and Glenorchy City Council) will work together to develop a new joint lease agreement, which will see rent received divided evenly between the two Councils. The recommendation included in this report would provide delegation for the General Manager to negotiate the terms of the lease.

Consultations

City of Hobart
Southern Waste Solutions
General Manager
Director Infrastructure and Works
Manager Property Environment and Waste
Waste Services Coordinator

Human Resource / Financial and Risk Management Implications

Financial

There are positive financial implications of this action as it would renew a mutually beneficial commercial relationship.

Glenorchy City Council receives a 50% share of the rental income for the leased area (City of Hobart receiving the other 50%). The annual rental is subject to CPI adjustments. Future rental would also be subject to a market review upon the exercise of a long-term lease option. There is no impact on any of the City's assets as a result of the proposed lease extension.

The revised arrangement would reduce Council's exposure to liabilities such as land tax and maintenance activities on the site. If a long-term lease is granted the land will be developed into a regional waste transfer hub, which provides a positive long-term strategic outcome for the Glenorchy community.

Human resources

There are no material human resources implications. The negotiations and commercial relationship with the affected parties would be managed as part of the normal duties of Council officers.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
Adverse public reaction to Council's decision to consider the land not to be public land under section 177A of the Act.	Minor (2)	Possible (3)	Medium	<p>Council reiterates the key points made within the report, including:</p> <ul style="list-style-type: none"> The land would not be classified as public land under the Act were it not for Council's policy, as it is industrial land that is not accessible to the public. As per Crown Order No. 23 of 2001 the land must be used for a waste transfer station. The Section 178 process undertaken for Lot 2 of the same land in 2021 received no objections. The request to provide a long-term lease to SWS to redevelop and operate a waste transfer station is a continuation of the existing use.
Council does not achieve best value for the community on disposal (long-term lease) of the land.	Minor (2)	Unlikely (2)	Low	Council's Lease and Licensing of Council Owned and Managed Property Policy and Directive would be followed and income from the rental and/or other potential benefits would be negotiated and approved by the General Manager.
Do not adopt the recommendation				
<p>SWS will not be able to undertake its long-term operations and will most likely relocate to another site leaving this site vacant and without rental income.</p> <p>It would also be a poor long term strategic outcome for Council to have the regional collection point for Copping landfill located further away from Glenorchy (increasing future transport costs)</p>	Major (4)	Likely (4)	High	Council and CoH continue to communicate and liaise with SWS to consider alternative options.
Reduced commercial and community outcomes through reduced capacity of SWS to delivery their services in the waste disposal area	Moderate (3)	Likely (4)	High	Council and CoH continue to communicate and liaise with SWS to consider alternative options.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Inability to use this site efficiently and maintain the site, in the short term and generate an income to offset maintenance costs whilst it is not being used by Council	Moderate (3)	Likely (4)	High	Re-evaluate other options for the use of this site, however this would be some time into the future.

Community Consultation and Public Relations Implications

Engagement associated with this decision will be undertaken at Inform Level by inclusion within the Council meeting Minutes that will be available to the public on the Council's website and from the Customer Service Centre.

Recommendation:

That Council:

1. DETERMINES that the land at 129 Derwent Park Road, Derwent Park (CT 122420/1 and CT 132878/1) is not public land for the following reasons:
 - (a) the land would not be classified as Public Land under 177A of the *Local Government Act 1993* except for the blanket provision under Council's Disposal of Council Land Policy that treats all Council land as public land
 - (b) the land is industrial land that is not accessible to the public
 - (c) the land must only be used for a waste transfer station under the restrictions placed on the land by Crown Order No. 23 of 2001
 - (d) the s. 178 process undertaken for Lot 2 of the same land in 2021 received no objections
 - (e) the request to provide a long-term lease to SWS to redevelop and operate a waste transfer station is a continuation of the existing use; and
 - (f) the land is not considered Public Land under the co-owner, the City of Hobart's Policy.
2. NOTE that sub-resolution 1 would enable joint negotiation with the co-owner, City of Hobart, of a long-term lease of up to 20 years to Southern Waste Solutions to enable investment in a regional waste transfer facility, consistent with the purpose of the Crown order relating to the land, without triggering a disposal of public land process under s. 178 of the *Local Government Act 1993*.
3. AUTHORISE the General Manager along with the co-owner, City of Hobart, to negotiate a long-term lease agreement of up to 20 years for the land with Southern Waste Solutions for consideration by Council at a later date.

Attachments/Annexures

- 1** Request from Southern Waste Solutions for long term lease at Lutana
[⇒](#) Waste Transfer Station

18. LOCAL GOVERNMENT ASSOCIATION OF TASMANIA 2023 ELECTIONS

Author: General Manager (Tony McMullen)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: LGAT

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:

Leading our Community

Objective: We are a leader and partner that acts with integrity and upholds our community’s best interests.

Strategy: Make informed decisions that are open and transparent and in the best interests of our community.

Strategy: Build and maintain productive relationships with all levels of government, other councils and peak bodies to achieve community outcomes for Glenorchy and Greater Hobart.

Objective: We responsibly manage our community’s resources to deliver what matters most.

Strategy: Manage compliance and risk in Council and our community through effective systems and processes.

Reporting Brief:

To determine Council’s votes for candidates in the 2023 Local Government Association of Tasmania Elections.

Proposal in Detail:

The Tasmanian Electoral Commission is currently conducting elections for the positions of President, and committee members on the General Management Committee of the Local Government Association of Tasmania (**LGAT**).

The election is being held in accordance with the LGAT Rules. Under the Rules, Council, as a Southern District Council, has been provided with three ballot papers for the following positions:

- President of LGAT
- General Management Committee Member from the Southern District (for Councils with greater than 20,000 ratepayers), and

- General Management Committee Member from the Southern District (for Councils with less than 20,000 ratepayers).

Copies of the Ballot Papers which contain the names of the nominees are Attachment 1. Council is required to vote preferentially for each position.

Ballots are required to be submitted by 10am on Thursday, 15 June 2023.

Votes for President and Committee Member (>20,000 ratepayers)

At the Council Meeting on 27 March 2023, Council resolved to nominate Alderman Bec Thomas for:

- President of the Local Government Association of Tasmania (LGAT), and
- General Management Committee Member from the Southern District (for Councils with greater than 20,000 ratepayers), and

Consistent with those nominations, it is recommended that Council allocates its first preference (vote) for each of those positions to Alderman Bec Thomas.

It is proposed to conduct a secret ballot for the order of preferences (votes 2 to 6) for the remaining candidates in those ballots. President nominee's candidate statements are provided in Attachment 2.

Votes for Committee Member (<20,000 ratepayers)

It is proposed that Council's votes for the position on the LGAT General Management Committee for Southern District Councils with less than 20,000 ratepayers is determined by a secret ballot.

Ballots

If the recommendations are adopted and Council conducts ballots for its preference order (for the president and 'GMC Member >20,000 ratepayers' positions) and voting order (for 'GMC Member <20,000 ratepayers' position), Elected Members will be provided with copies of the ballot papers and will number their preferences as directed on the papers.

The votes will then be counted and Council's votes for each position will be determined based on the results. The Mayor will then be authorised to submit Council's votes in accordance with the LGAT rules.

The wording of an appropriate Council resolution to reflect the final voting preferences and authorising the Mayor to cast votes would need to be agreed after the results of the ballots are known.

Consultations:

Mayor
General Manager

Human Resource / Financial and Risk Management Implications:

There are no material financial or human resources implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation				
No material risks have been identified.				
Do not adopt the recommendation	Minor (C2)	Possible (L3)	Moderate	Council determines an alternative method of selection that is appropriate and gives Elected Members an appropriate level of input.
An alternative method of selecting the preferred candidates would need to be determined, potentially selecting candidates that don't reflect the views of all Elected Members.				

Community Consultation and Public Relations Implications:Community consultation

Community consultation was not required or undertaken.

Public relations

There are no material public relations implications.

Recommendation:

That Council:

1. Consider and determine the following resolutions separately in sequential order.
2. VOTE for Alderman Bec Thomas as its first preference for the position of President of the Local Government Association of Tasmania (**LGAT**)
3. CONDUCT a secret ballot to determine the allocation of second, third, fourth, fifth and sixth preferences for the position of President of LGAT
4. Having conducted a secret ballot, RESOLVE to allocate its second, third, fourth, fifth and sixth preferences for the position of President of LGAT as follows: [AS DETERMINED BY THE SECRET BALLOT IN ITEM 3]
5. VOTE for Alderman Bec Thomas as its first preference for the position of General Management Committee Member from the LGAT Southern District (for Councils with greater than 20,000 ratepayers).

6. CONDUCT a secret ballot to determine the allocation of its second and third voting preferences for the position of General Management Committee Member from the LGAT Southern District (for Councils with greater than 20,000 ratepayers)
7. Having conducted a secret ballot, RESOLVE to allocate its second and third voting preferences for the position of General Management Committee Member from the LGAT Southern District (for Councils with greater than 20,000 ratepayers) as follows: [AS DETERMINED BY THE SECRET BALLOT IN ITEM 6]
8. CONDUCT a secret ballot to determine the allocation of its voting preferences for the position of General Management Committee Member from the Southern District (for Councils with less than 20,000 ratepayers)
9. Having conducted a secret ballot, RESOLVE to allocate its voting preferences for the position of General Management Committee Member from the Southern District (for Councils with less than 20,000 ratepayers) as follows: [AS DETERMINED BY THE SECRET BALLOT IN ITEM 8]
10. AUTHORISE the Mayor to cast votes in the 2023 LGAT elections in accordance with Council's allocated voting preferences.

Attachments/Annexures

- 1 Ballot papers



- 2 Candidate statements for 2023 LGAT President nominees



19. UPDATED COUNCIL POLICIES

Author: Manager People and Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Council Policies

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:

Leading our Community

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy: Make informed decisions that are open and transparent and in the best interests of our community.

Strategy: Manage compliance and risk in Council and our community through effective systems and processes.

Reporting Brief:

To present the following updated policies for review and adoption:

- Meeting Procedures Policy
- Elected Member Expenses Policy; and
- Elected Members Code of Conduct Policy.

Proposal in Detail:

All policies adopted by Council are reviewed cyclically. The ordinary review period for Council policies is four (4) years after adoption. However, policies may be reviewed earlier if it is appropriate to do so, for example if there are changes to a relevant governing act.

Meeting Procedures Policy

The Meeting Procedures Policy was adopted by Council at its meeting on 30 July 2018 and has been reviewed.

- Attachment 1 is a copy of the 2018 Policy with tracked changes, and
- Attachment 2 is a copy of the recommended updated Policy.

This Policy sets out the rules and procedures for Council meetings and Council Committee meetings which apply in addition to the procedures prescribed in the *Local Government (Meeting Procedures) Regulations 2015*.

The changes to this Policy include:

- the review period has been updated from annually to four yearly
- the Strategic Plan alignment section of the policy has been removed to better ensure policy currency on the recommendation of Council's Executive Leadership Team; and
- the word 'Alderman' has been updated to 'Elected Member' throughout the Policy.

It is recommended Council adopt the updated Meeting Procedures Policy.

Elected Member Expenses Policy

The Elected Member Expenses Policy was adopted by Council at its meeting on 26 October 2020 and has now been reviewed.

- Attachment 3 is a copy of the 2018 Policy with tracked changes; and
- Attachment 4 is a copy of the recommended updated Policy.

This Policy, in accordance with Schedule 5 of the *Local Government Act 1993* and s.43 *Local Government (General) Regulations 2015*, confirms Council's reimbursement of Elected Member expenses. These expenses, including training and attendance at conferences and seminars, must be incurred whilst carrying out the duties of their office.

Changes to the Policy include:

- changing childcare costs to dependent person costs
- hire car expenses where using a hire car is less expensive than reimbursement at current ATO per kilometre rates
- clarifying reimbursement of mobile phone and laptop costs
- increasing the training and attendance at conferences / seminars allowance; and
- clarifying induction training expenses for Elected Members (following a Local Government election) is excluded from this Policy.
- the Strategic Plan alignment section of the policy has been removed to better ensure policy currency on the recommendation of Council's Executive Leadership Team; and
- the word 'Alderman' has been updated to 'Elected Member' throughout the Policy.

It is recommended that Council adopt the updated Elected Member Expenses Policy.

Elected Member Code of Conduct Policy

This Policy was last reviewed on 29 January 2019.

It is a requirement of Section 28T(7) of the *Local Government Act 1993* (the Act) that, after each local government election, a new Council review this Policy within three (3) months. The review of this Policy has been delayed by a number of factors. However, the Office of Local Government has been advised that the policy remains in force.

While there have been active issues around Code of Conduct complaints in recent times, since 2018 there have been no legislated changes to the text of the Model Code of Conduct Framework.

- Attachment 5 is a tracked changes version of the 2018 Aldermanic Code of Conduct Policy, and
- Attachment 6 is a copy of the recommended updated Policy.

The only changes made to the Policy have been:

- a change in internal terminology from 'Aldermen' to 'Elected Members'; and
- Council policies have also changed in appearance with a new template.

Upon completion of the review of the Elected Member Code of Conduct Policy, Council will advise the Director of Local Government.

The General Manager will continue to make a copy of Council's Code of Conduct available for 'for public inspection, free of charge, at the public office of Council during ordinary office hours and on its website'.

It is recommended that Council adopt the updated Elected Member Code of Conduct Policy.

It should be noted that legislative change is imminent in relation to this. The State Government's *Local Government Amendment (Code of Conduct) Bill 2022* is currently before State Parliament and, if passed, will likely lead to a new model Code of Conduct being mandated for the State.

Consultations:

Director of Local Government
Executive Leadership Team
Management Team
Corporate Governance
Senior Legal Counsel
Council officers

Human Resource / Financial and Risk Management Implications:

There are no material human resources or financial implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor	Unlikely	Low	Responsible officers continue to monitor compliance with policies and ensure that any amendments are made in a timely manner, as required.
The policy does not represent any significant departure from established practices or statutory requirements. There is a chance that procedural difficulties may be identified once they are implemented, leading to operational inefficiencies.				
Do not adopt the recommendation	Minor	Likely	Medium	Council officers are instructed to review the policies and implement any changes requested by Council as soon as practicable.
Governance administration would be less optimal due to the presence of outdated and less effective policies.				

Community Consultation and Public Relations Implications:

The policies, when updated, will be published on Council's website.

Recommendation:

That Council:

1. ADOPT the Meeting Procedures Policy in Attachment 2,
2. ADOPT the Elected Member Expenses Policy in Attachment 4, and
3. ADOPT the Elected Member Code of Conduct Policy in Attachment 6.

Attachments/Annexures

- 1 2018 Meeting Procedures Policy With Tracked Changes



- 2 2023 Meeting Procedures Policy - Final



- 3 Elected Member Expenses Policy tracked changes



- 4 Elected Member Expenses Policy 2023



- 5 Elected Member Code of Conduct Policy tracked changes



- 6 Elected Member Code of Conduct Policy 2023



20. CAPITAL WORKS STATUS REPORT

Author: Director Infrastructure and Works (Emilio Reale)

Qualified Person: Director Infrastructure and Works (Emilio Reale)

ECM File Reference: Capital Works

Community Plan Reference:

Making Lives Better

Our lives will be enhanced by using good design to create safer, more welcoming public spaces

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.

Valuing our Environment

We will value and enhance our natural and built environment..

Strategic Plan Reference:

Making Lives better

Objective: We deliver services to meet our community's needs.

Strategy: Deliver services to our community at defined levels.

Strategy: Identify and engage in partnerships that provide services effectively to our community.

Leading Our Community

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy: Listen to our community to understand their needs and priorities

Strategy: Communicate effectively with our community and stakeholders about what Council is doing.

Objective: We responsibly manage our community's resources to deliver what matters most.

Strategy: Manage the City's assets responsibly for the long-term benefit and growth of our community.

Strategy: Deploy the Council's resources effectively to deliver value while being financially responsible.

Valuing our Environment

Objective: We improve the quality of our urban and rural areas as places to live, work and play.

Strategy: Make our City more liveable by providing and upgrading public places and facilities for people to come together.

Strategy: Make our City more liveable by investing in our City's infrastructure.

Reporting Brief

To provide a quarterly capital works status update report to Council for the period ending 30 April 2023.

Proposal in Detail

This report is provided to update elected members and the community on the progress and delivery of Council's capital program for the 2022/23 financial year.

Delivery of an extensive capital work program requires various adjustments during the financial year as there are a large range of potential project-related variables and external market factors that come into play. Some examples of these potential variables include permit approvals, latent conditions, unsuitable weather conditions, contractor availability, supply chain issues, scope changes, material and labour cost escalation. Many of these have been experienced during the past financial year.

Capital works and project governance

The capital works program and expenditure are reviewed by an internal working group, the Infrastructure Management Group (IMG), at its monthly meetings based on monthly financial forecasting reports.

During the financial year, Council officers actively monitor project delivery and budgets, as some unexpected problems arise that require immediate attention such as the recent flooding issues. In some cases, projects exceed their original scope due to reasons that can't be identified until after they commence. These funding variations/reallocations or additional projects are monitored and overseen by the IMG to ensure the total works program does not exceed the available funding, or to bring forward a future project in place of one that can't be delivered. This is done in accordance with IMG's Terms of Reference.

Council also has a Project Control Group in place to oversee major projects that exceed \$1 million in value or have a high level of complexity, or public interest.

Any notable adjustments are reported to Council through the monthly financial performance reports or via this Quarterly Report.

Current market conditions

Tasmania is still experiencing strong economic growth. Several past stimulus measures are still causing increased demand on contractors, consultants, and suppliers across

the nation for building, civil and recreation projects. This is still impacting the availability of contractors and materials which, in turn, adds cost and time pressures for Council. However, there has been some recent cooling in pockets of the market which is becoming evident in the procurement of some recent projects.

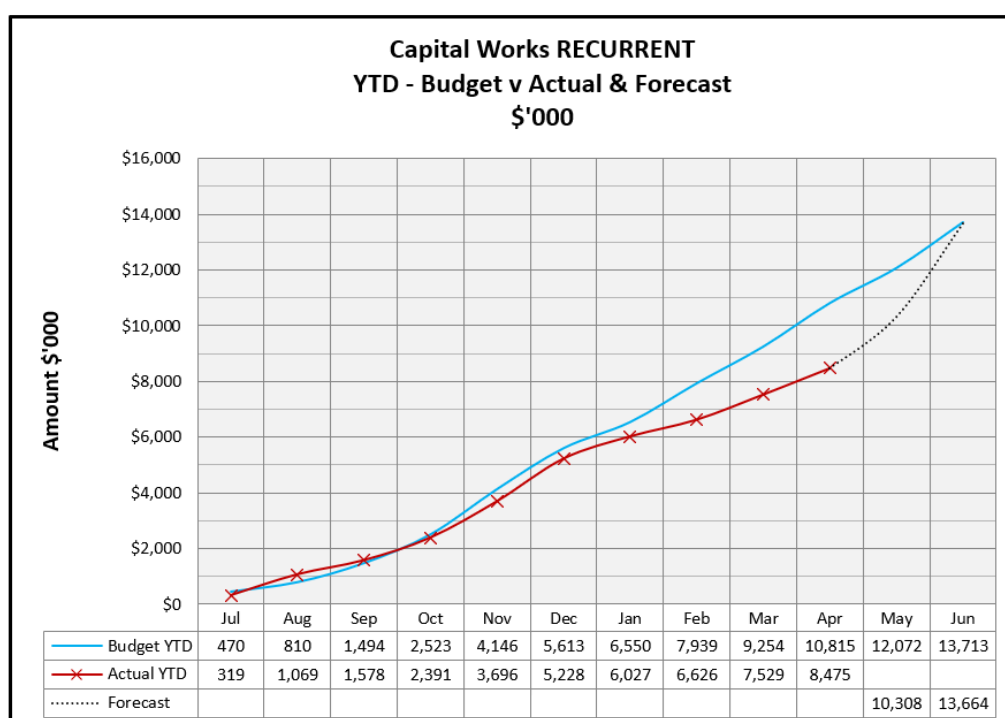
Major grant funded projects are impacted the most due to market conditions due to the scale and resource demands. In Council's current program, these make up close to half of the annual capital works program and delays to these can negatively impact reported overall expenditure.

Recurrent capital infrastructure renewal program

Year-to-date capital works expenditure is \$13,401m against a combined annual budget of \$30.486m and an annual forecast spend of \$21,895m. At the end of April \$8,475m has been expended on Council funded recurrent capital projects and \$4.926 for grant funded projects (due to some grant funded projects spanning over multiple years).

Recurrent renewal projects in the capital works program such as Roads, Stormwater and Property Management areas are progressing well. However, there have been some deviations from the program to address infrastructure improvements in response to the past flooding events that have occurred. This has set the recurrent programmed works back. However, progress will continue to be monitored and additional resources contracted in with an aim of still completing the whole program. Forecasting will be adjusted in the coming months to ensure the budget reflects the additional works that are taking place.

A year-to-date expenditure versus budget forecast graph for the recurrent renewal projects is provided below:



Status of Major and Grant Funded Projects

As well as Council's recurrent renewal projects, there are a number of major projects that Council is managing. Some are fully funded by grants, and some have co-contribution amounts from Council. A summary of these projects is detailed below.

Gibblins Reserve Playspace

In August 2021 Council approved a major Playspace at Gibblins Reserve in Goodwood. This was due to a scope change to an earlier proposal which combined two Playspaces into one. The Australian Government is contribution \$2m and Council is contributing \$1.4m. The variation of scope was approved by Government on 10 March 2022.

The project was originally put out for tender and closed on 1 June 2022. After a negotiation process a successful agreement could not be reached due to an unstable market subject to unprecedented material cost escalations. Council responded to the instability and put in place numerous standing tender items for services such as supply and installation of play equipment, fencing, landscaping and is managing this project inhouse to reduce the risk of market and contractor volatility.

Works on this Project commenced in late March 2023, with earthworks substantially underway and the installation of the first pieces of play equipment now in progress.

Montrose Bay Foreshore Skatepark

The construction of a new skatepark at the Montrose Bay Foreshore Reserve has now commenced. The proposed skatepark is funded through a grant of \$250,000 from the Department of Communities Tasmania and \$250,000 from a grant from the Department of Health and Human Services. The remaining \$120,000 is being funded from the Federal Government's Local Roads and Community Infrastructure Grant Program.

The earthworks commenced in late March 2023. There were some existing services that had to be relocated in the excavation area, which has now been completed. The concrete works including ramps and other forms are programmed to be completed this financial year, weather permitting.

Council Chambers Solar Panel Installation and Roof Upgrades

Council officers investigated the benefits of installing solar panels on high daytime use buildings such as the Council Chambers. A cost benefit analysis based on quotes received indicated the solar panels cost was \$95,000 but will save up to approximately \$25,000 per annum (depending on the time of year and weather conditions) in electricity costs, putting the payback time for the panels themselves at around five to six years.

Unfortunately, the tenderer that originally quoted this proposal withdrew from the project, leaving Council to procure a new supplier. The new costings are on par with the original quote (\$98,000) and the project has recommenced.

All required roof repair works before progressing this project have been completed.

Council has also completed an upgrade of the main switchboard, which was due for replacement in the 2023/24 financial year. This was brought forward as a cost saving measure to reduce any rework that would be required in the original switch panel to accommodate the solar panels. The solar panel installation is now ready to commence, Council has received final sign-off from TasNetworks for the connection to proceed on 16 May 2023.

Prince of Wales Bay Sports Ground Drainage Works and Removal of Detention Pond

The sports grounds at Prince of Wales Bay are a shared facility between softball, baseball and soccer. The Glenorchy Knights Football Club was successful in gaining a \$155,000 election commitment grant through the Community Sports and Recreation program to improve the drainage on the western ground to prevent the pooling of water on the playing surface. Council was also consulted in making a co-contribution to level out and resurface the playing surface. Council agreed that re-turfing of this sports ground was required and overdue.

In investigating the drainage options, Council determined that stormwater detention basin (formerly part of the Derwent Park Stormwater Reuse Scheme and known as Pond C) was totally redundant and no longer required and would vastly increase the available playing surface by accommodating two additional junior soccer fields.

Once this project commenced, friable fragments of asbestos were found which meant the site works had to be treated differently and the contaminated soil had to be removed from the site. This was also WorkSafe Tas requirement. However, it has resulted in a significant legacy asbestos issue being appropriately dealt with and a benefit of additional football playing surfaces that didn't exist prior to this project commencing. This project is now fully complete, and the grounds are now being heavily utilised.

Football Packages

Council received advice in 2018 of Football Tasmania's success in obtaining in-principle approval for a \$12.8M grant from the Australian Government to fund major upgrades to soccer facilities in the northern suburbs. A 70%/30% split of the funding was negotiated, which resulted in \$8.96 million allocated to North Chigwell Junior Soccer Hub and the balance \$3.84 million allocated to KGV Football Park for much-needed upgrades to the existing facilities. The KGV upgrades included replacement synthetic pitch, lighting upgrades and refurbished and new change room facilities. Council received final approval from the Australian Government on 7 May 2022.

KGV

To date, the synthetic pitch replacement at KGV has been completed and certified to FIFA standards along with all fencing surrounding the pitch. The new LED lighting is complete and operational. Detailed architectural design has been completed for the KGV change room facilities, a development application has been approved and the construction work is out for Tender.

North Chigwell

Ground works and new LED lighting are now complete at the North Chigwell facility and will be ready for use in June for the rest of the Soccer Season. Architects have designed the new clubhouse and change facilities. A development application has been lodged and once approved Council will call for Tenders for the construction process.

BMX Track Relocation

The facility, currently used by the Southern City BMX Club, had previously been flagged for relocation from its current Berriedale home. Once it was established that Glenorchy could not provide a suitable location with the funds that were available, Glenorchy City Council led investigations and negotiations to secure a new home for the facility. Pembroke Park was identified as a preferred option due to its size, location and existing cycling infrastructure.

Glenorchy and Sorell Councils have been in negotiations to work through the details of the move, including the transfer of grant funding and Council's economic stimulus funding that was set aside for the facility. Glenorchy City Council has recently completed the payment/transfer of funding to Sorell Council as per the agreement for the Southern City BMX transfer to Pembroke Park.

Agreement was reached with Sorell and the BMX club on the relocation of the BMX track to Pembroke Park. This will deliver a brand new, modern BMX facility to Southern Tasmania.

Now that Sorell Council has resolved to construct the track at Pembroke Park, they have completed a tender process to confirm the cost of building the new facility. The construction time frame is estimated to be completed in the October/November 2023 period. Sorell have confirmed that they are in discussions with the BMX club and Mona on the timing of the relocation, minimising the time the club will be without a track.

Tolosa Park Dam Reintegration Project

TasWater and Glenorchy City Council are jointly funding the first stage of works under the master plan for the former reservoir area to transform it into an open parkland. Under the agreement, TasWater will contribute \$3.2 million of the estimated \$6.208m cost of the Stage A works, with the Council funding the balance.

The initial dam decommissioning and remediation works, to be carried out by TasWater, will see the 20-metre-high dam wall partially demolished with the fill from

the wall used to create an open parkland with completed earthworks, levelled, usable areas, water features, established grassed areas and the formation of future walking trails (to be completed in further stages). TasWater will then hand the area back to the Council to continue to develop as funding becomes available.

TasWater have recently completed a Tender process and should be able to announce a successful contractor in early June. Works are expected to commence in September 2023 with a completion of earthworks expected to be completed in April 2024.

Playground Renewal Program

Glenorchy City Council has committed \$600,000 to the upgrade and renewal of numerous Playspaces based on Council's new Playspace Strategy. During this financial year Playspace replacement works have recently been completed at Booth Avenue, Barry Street Reserve, Collinsvale Reserve and Cairnduff Reserve.

Council recently endorsed the inclusion of a funding allocation of \$1m in from the Property Disposal Reserve for the 2023/24 financial year for the replacement of the Benjafield playground in Moonah. Council officers have completed a community engagement process for this project, which was well responded too, as well as preliminary concept planning. This project is programmed to commence early in the new financial year.

Council has also received a grant deed from the Australian Government for a \$1.5m election commitment for playground renewals that was made at the last federal election. These funds will provide a further acceleration of the playground renewal program and includes the renewal of the following Playspaces:

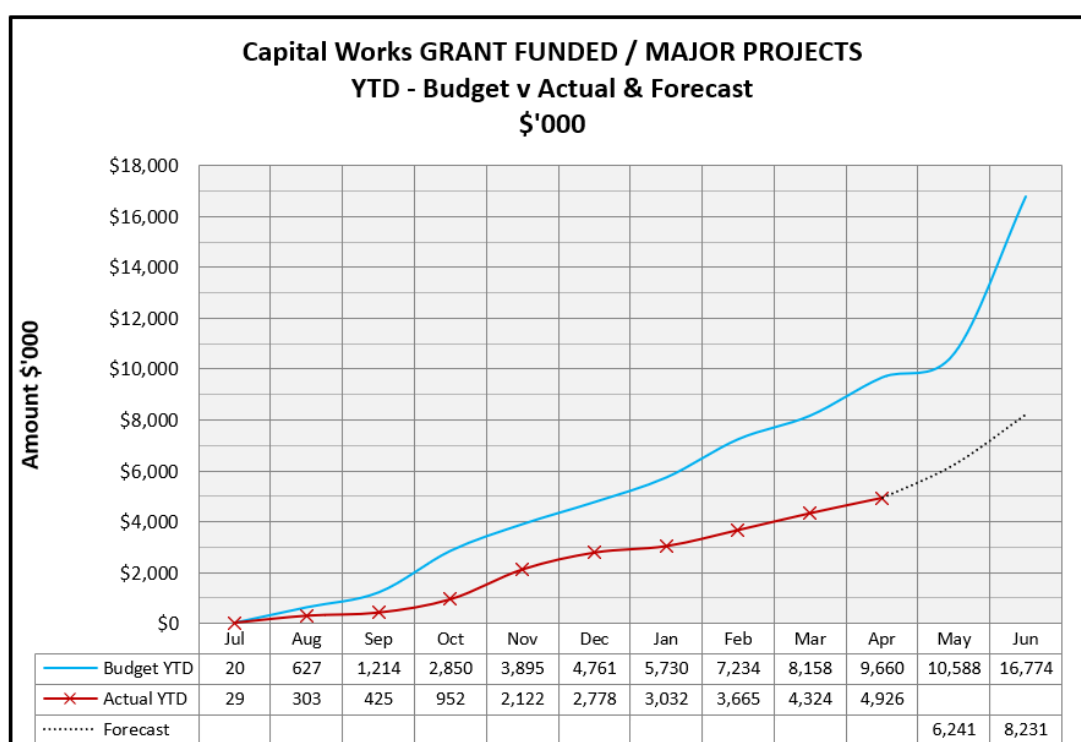
1. Alroy Court, Rosetta
2. Cooina Park, West Moonah
3. Roseneath Reserve, Austins Ferry
4. Chandos Drive Reserve, Berriedale
5. Pitcairn Street Reserve, Montrose
6. Battersby Drive, Claremont
7. Collinsvale Reserve, Collinsvale (completed)
8. Lutana Woodlands, Lutana
9. Barossa Road, Glenorchy
10. International Peace Park, Berriedale

Summary of Grant Funded Capital Projects

Major grant funded projects make up close to half of the annual capital works program and delays to these can negatively impact reporting of overall expenditure.

A year-to-date expenditure versus budget forecast graph for the major/grant funded projects is provided below, which is reflecting that Council has experienced some delays in expenditure in projects such as the Giblins Reserve Playspace (contract negotiations), Montrose Bay Skate Park (contractor availability), and the Tolosa Dam Reintegration project. The grant funded projects are all well underway as outlined in this Status Report. The projects have been programmed over multiple years, but the grant funds have not. This will result in financial statements showing underspends in this year's program that will be carried forward into next financial year due to the projects being substantial in size and value, which will see expenditure trend behind the forecast for a period of time.

A year-to-date expenditure versus budget forecast graph for the major and grant funded projects is provided below:



Consultations:

Consultation has been undertaken with Directors, Managers and Coordinators within the relevant Departments and external agencies such as TasWater, Community Sport and Recreation and numerous sporting clubs.

Human Resource / Financial and Risk Management Implications:Financial

It is important to note that for every new asset created by Council there will be additional, ongoing operational costs. New assets should therefore be treated as a new service to the community which incurs additional cost. On current estimates and experience, the cost of new assets to Council's ongoing operational budget over the life of the asset is around 2.5% for maintenance and 2.5% for depreciation. This could be equated to a percentage of rates that need to be allocated to keep new assets in a good state of repair and renewed when they reach the end of their useful life.

Delivery of a capital works program within budget is essential to ensure that Council is financially sustainable, and that Council's assets are being renewed, maintained, and developed to meet the current and future needs of the Glenorchy community. Failing to maintain and renew assets can lead to environmental impacts and assets not delivering the required level of service to the community. Poorly maintained assets can also have impacts on energy and resource use. Communities expect assets such as recreational facilities, roads, bridges, and stormwater systems to be safe and maintained to necessary standards.

The financial sustainability of the Council would be at risk if capital works programs are not kept within budget or are not undertaken.

Human resources

The delivery of the capital works program (including project management of outsourced works) is managed within Council's existing resources.

Risk management

Council must plan and deliver a suitable capital works program to ensure that its assets are able to service the needs of the community. Council's reputation and the community's amenity would suffer if assets and service levels are not maintained at necessary standards. The consequence of inadequate maintenance and upgrade of capital assets will be increased costs in the future.

Risks associated with Council's financial expenditure and sustainability are managed through the process for developing Council's annual budget and are monitored through ongoing reporting on Council's Strategic and Key Operational risk register.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Severe (C5)	Unlikely (L2)	Medium	Budget and LTFMP formally reviewed during the year. Prudent debt management and consistent monitoring of financial conditions enabling an appropriate response. LTFMP reviewed annually and adjustments made in future budgets to account for any unforeseen events. The current LTFMP forecasts ongoing modest rate increases, however may need to be reviewed based on market conditions and construction indexes.
Ongoing substantial budget deficits leading to depleted cash reserves as a result of changes to economic conditions or other unforeseen events, leads to a loss of financial sustainability or the need to borrow or increase rates above community expectations.				
Further economic changes result in estimates that are not materially accurate, leading to a need to revise estimates either up or down again during the year.				
Suppliers, contractors and service providers are unable to provide goods and services at competitive prices.	Minor (C2)	Possible (L3)	Medium	Continued prudent debt management and consistent monitoring and reporting of financial conditions, enabling an appropriate response.
Damage to Council infrastructure from unpredictable events resulting in significant costs to repair or replace.	Minor (C2)	Possible (L3)	Medium	Robust procurements to engage with a broad range of potential suppliers and service providers to minimise dependencies.
	Major (C4)	Unlikely (L2)	Medium	Limited insurance coverage in place for some events with Council accepting risk of a significant event where other financial support is not made available (e.g. State Government).
Do not adopt the recommendation	Major (C4)	Likely (L4)	High	A further report and revised recommendation is brought to Council as a priority, addressing any concerns raised by Aldermen.
Budget estimates for the 2022/23 year would not reflect the actual position, leading to less effective financial management and potential breaches of the Act or accounting standards				

Community Consultation and Public Relations Implications:

Community consultation

Community consultation is undertaken on specific projects as required. There are several projects included in this report where specific community engagements have been undertaken to determine the final outcomes to be achieved.

Recommendation:

That Council:

1. RECEIVE and NOTE the capital works status report to the end of the April 2023 quarter.

Attachments/Annexures

Nil.

21. FINANCIAL PERFORMANCE REPORT TO 30 APRIL 2023

Author: Manager Finance (Allan Wise)
Qualified Person: Director Corporate Services (Jenny Richardson)
ECM File Reference: Corporate and Financial Reporting

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:

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy: Make informed decisions that are open and transparent and in the best interests of our community.

Objective: We responsibly manage our community's resources to deliver what matters most.

Strategy: Manages the City's assets responsibly for the long-term benefit and growth of our community.

Reporting Brief:

To provide Council with the monthly Financial Performance Report for the period ending 30 April 2023.

Proposal in Detail:

Council's Financial Performance Report (Report) for the year-to-date ending 30 April 2023 is Attachment 1.

The Report highlights that Council's operating result as at the end of April is \$4.097 million better than the budgeted position. The favourable variance is the combined result of \$2.377 million more revenue than budgeted and \$1.720 million less in expenditure than budgeted.

Executive Summary

A favourable actual to budget result continues to be reported. However, it is important to note this does not automatically carry over into next year. Budgets are based on known outcomes and considered assumptions reflecting on what may transpire in the following twelve months.

There will always be exceptions contrary to the budget and it is these exceptions that are contributing to the current result, primarily in the areas of TasWater investment, interest income, employee costs and depreciation.

Consideration will be given to these when drafting the 2023/24 budget.

Revenue

Year-to-date operational revenue is \$64.476 million compared to budgeted operational revenue of \$62.099 million. This represents a favourable result of \$2.377 million or 3.8% against budget.

Interest paid on our investments has increased from an annual budget of \$51k to \$792k actually received to date, due to interest rate rises.

Income from our investment in TasWater has resulted in a \$543k special dividend being paid.

Expenditure

Year-to-date operational expenditure is \$52.612 million compared to budgeted expenditure of \$54.332 million. This represents a favourable result of \$1.720 million or 3.2% against budget.

Employee costs have maintained a constant level of savings due to permanent savings implemented from 1 July plus further savings during the year because of longer periods required to fill vacancies due to a competitive job market.

Depreciation will be subject to an end of year reconciliation which will recalculate the expense, hence the amounts reported are to be taken as a guide based on known asset movements as of 30 April.

Non-operating – Capital Grant Revenue

Capital grants revenue is \$6.412 million against an annual budget of \$7.848 million.

As at the reporting date, this result includes \$1.7 million of unspent grants from the previous financial year carried over into the current financial year. In the Capital Works Status Report, the delay this year for major grant funded projects will result in a sizeable further carry over of grant funds into next financial year.

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

Disposal of assets currently records a loss of \$0.162 million against an annual budgeted loss of \$0.402 million.

Activities in this area are disposal of obsolete computer equipment, minor plant and vehicle changeovers. Land sales also contribute to the monthly result. The sale price of all disposed assets is tempered by the expense in writing down the book value of those assets.

Non-Operating – Contributions Non-Monetary Assets

An amount of \$2.512 million has been recognised against the annual budget of \$5.300 million. Past practice has been to recognise these assets on 30 June. However, the practice has been changed to recognise these on a monthly basis as part of the asset reconciliation.

Capital Works

Year-to-date Capital Works expenditure is \$13.401 million against a combined annual budget of \$30.486 million and a combined annual forecast spend of \$21.895 million. At the end of April, \$8.475 million has been expended on Council-funded recurrent projects and \$4.926 million for Grant-funded / Major Projects.

Recurrent renewal projects in the capital works program such as Roads, Stormwater and Property Management areas are progressing well. However, there have been some deviations from the program to address infrastructure improvements in response to recent flooding events. This has set the recurrent programmed works back. However, progress will continue to be actively monitored with an aim of completing the whole program. Forecasting will be adjusted in the coming months to ensure the budget reflect the additional works that are taking place.

The grant-funded projects are all well underway as outlined in the Capital Works Status Report. The projects have been programmed over multiple years, but the grant funds have not. This will result in financial statements showing underspends in this year's program that will be carried forward into next financial year due to the projects being substantial in size and value.

Summary

Further information on revenue, expenditure and capital works figures is provided in Attachment 1 to this report.

Consultations:

General Manager

Executive Leadership Team

Officers responsible for Capital and Operational Budget reporting

Human Resource / Financial and Risk Management Implications:

Financial implications are set out in the body of this report and in Attachment 1.

The Financial Performance Report is only for receiving and noting so no financial issues arise. Risks associated with Council's financial expenditure and sustainability were managed through the process for developing Council's annual budget and are monitored through ongoing monthly reporting and Council's Strategic and Key Operational risk register.

Community Consultation and Public Relations Implications:

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

Recommendation:

That Council:

1. RECEIVE and NOTE the Financial Performance Report for the year-to-date ending 30 April 2023 as set out in Attachment 1.

Attachments/Annexures

- 1 Attachment 1 - Financial Performance Report to 30 April 2023



22. PROCUREMENT AND CONTRACTS MONTHLY REPORT

Author: Manager People and Governance (Tracey Ehrlich)

Qualified Person: Director Corporate Services (Jenny Richardson)

ECM File Reference: Procurement

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:

Open for Business

Objective: We encourage responsible growth for our City

Strategy: Maintain a progressive approach that encourages investment and jobs.

Leading our Community

Objective: We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy: Make informed decisions that are open and transparent and in the best interests of our community.

Objective: We responsibly manage our community's resources to deliver what matters most.

Strategy: Manage compliance and risk in Council and our community through effective systems and processes.

Reporting Brief:

To inform Council of exemptions that have been applied to procurements under Council's Code for Tenders and Contracts.

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
- 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.

On 3 April 2023 the Director Corporate Services approved an exemption to Council's Code for Tenders and Contracts. The purchase order was also signed on 3 April 2023. This exemption related to provision of Microsoft Teams Calling arrangements which are supplied by Telstra. Telstra is the only provider within Australia authorised by Microsoft as a Tier 1 Teams Calling on-seller. Given this, the exemption is permitted under s27 of the *Local Government (General) Regulations 2015*.

The exemption relates to a contract value of \$81,709.55, excluding GST.

Consultations:

Procurement and Contracts Coordinator
Accounts Payable Supervisor

Human Resource / Financial and Risk Management Implications:

Financial

The report documents expenditure of \$81,709.55 excluding GST in budgeted operational costs.

Human resources

There are no material human resources implications.

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 Report relating to an exemption of \$81,709.55 (excluding GST) for the supply of Teams Calling, noting Telstra is the only authorised provider of the service in Australia and as approved by the Director Corporate Services.

Attachments/Annexures

Nil.

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

CLOSED TO MEMBERS OF THE PUBLIC

24. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council meeting (closed meeting) held on 26 April 2023 be confirmed.

25. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal – Leading our Community

26. RECOVERY OF OUTSTANDING RATES

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) and (2)(j) (The personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area) and (4) (In relation to subregulation 15(3) only, matters relating to legal (or possible future legal) action taken (or may be taken) by or involving the Council).

27. UPDATE OF BUILDING COMPLIANCE MEASURES AT MCGILL RISE CLAREMONT

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)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of Council).

28. CONTRACT 0351 - PROVISION OF BANKING SERVICES CONTRACT EXTENSION

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).

29. 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).

ECONOMIC

Community Goal – Open for Business

**30. REQUEST FOR TENDER NO. 930 - STANDING OFFER FOR
CLEANING OF PUBLIC AMENITIES - REQUEST FOR APPROVAL
TO AWARD TENDER**

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).

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