

**COUNCIL MEETING
AGENDA
MONDAY, 25 MARCH 2024**



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

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

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

Tony McMullen
General Manager
MONDAY, 25 MARCH 2024

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, 4 March 2024

Purpose: To conduct:

- Elected Member Strategic Review session

Date: Tuesday, 12 March 2024

Purpose: To discuss:

- Mill Lane planning scheme amendment
- Draft Stormwater System Management plan
- Private Works policy
- McGill Rise update
- Council statement calling for ceasefires in conflict zones

Date: Monday, 18 March 2024

Purpose: To discuss:

- Budget Meeting #4 Capex
- Public Meeting briefing



ELECTED MEMBER STATEMENT OF INTENT

November 2022

We will...	By...
Be curious, open to change and difference	Being progressive, proactive, and innovative Taking calculated risks Asking questions before offering opinions or solutions Debating ideas without getting personal Remembering everyone is equal Always having an open mind
Be authentic and act with integrity	Being accessible Being honest and trustworthy Demonstrating transparency and accountability
Be respectful to each other	Going to the source, in person, early Assuming good intent, always Acting with good intent, always Actively listening, seeking to understand Valuing other's opinions Being prepared
Own and right our wrongs	Self-reflecting Being open to feedback Being brave enough to be vulnerable
Show strong leadership	Challenging the status quo Continually learning and practicing good governance Striving for financial sustainability and strength Having clarity on role and purpose
Consider the impact we have on others	Practicing emotional intelligence Hearing both sides before making judgement Remembering our behaviour and words matter to staff



ELECTED MEMBER LEGACY

November 2022

At the end of our term, we will have made a real difference because, together:

We deliver

We're active and present

We put people first

We are inclusive

We are future focussed and brave

We improved communication and community engagement

We empowered our community

We rebuilt pride

We were accountable

We created a safe, clean, equitable city

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1. APOLOGIES

2. CONFIRMATION OF MINUTES (OPEN MEETING)

That the minutes of the Council Meeting held on 26 February 2024 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question without notice – Deanne Gillie/Shaw

Q1: With reference to the hydrotherapy pool that was built by Council and leased to Revive, who then sublet to St Giles, what was the date the building and the pool defects were rectified so that the lease payments were started?

A: [Mayor] The question was taken on notice.

Response:

It is not unusual for a building to be completed but still have a number of defects that don't affect its operation. The KGV sports complex was first occupied from February 2016.

The complex reached a stage of practical completion after a number of issues which are matters of public record. A dispute with the builder was resolved at the end of December 2018.

The hydrotherapy Pool operation was leased in August 2017 after an Expression of Interest and Tender process. A number of defects with the Hydrotherapy pool were substantially resolved by 12 July 2019 and the lease commenced from that time.

Question without notice – Janiece Bryan, Montrose

Q1: There is a large amount of almost \$9 million or 9% of the budget for City Leadership shown on the Rate Notice brochure. What is that for?

A: [Mayor] The question was taken on notice.

Response:

The Rates Brochure included the following table outlining how Council Rates income is spent delivering services to the community.



It quotes \$8.83 per \$100.00 rates revenue is spent on City Leadership. This equates to \$6.54 million for the 2023/2024 year. City leadership covers the costs of Council's leadership and its associated governance including the General Manager's Office, Directorates' leadership, Elected Members, governance (including Council's insurance premiums and internal audit functions), legal services, staff training, stakeholder engagement including communications, public relations and contributions to various programs including:

- the Wellington Park Trust;
- Derwent Estuary Program;
- Destination Southern Tasmania;
- Cycle South;
- Local Government Association of Tasmania;
- Greater Hobart Strategic Partnership;
- Glenorchy CBD Security;
- Southern Regional Waste Authority;
- Regional Sport and Recreation Planning; and
- The Northern Suburbs Transport Corridor.

6. PUBLIC QUESTION TIME (15 MINUTES)

Please note:

The Council Meeting is a formal meeting of the Elected Members 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.

In accordance with regulation 31(2) and (3) (Public question time) Local Government (Meeting Procedures) Regulations 2015, Council will allocate 15 minutes during each Council Meeting to invite members of the public to ask questions relating to the activities of Council.

The following rules and procedures apply to Public Question Time:

1. questions must relate to the activities of Council
2. members of the public are to announce their name and residential address before asking a question (which will be recorded in the minutes)
3. questions are to be put succinctly and in the form of a question, not a comment
4. questions must not be inflammatory, abusive, defamatory, contain a personal attack or otherwise breach any rules of the meeting which have been explained by the Chairperson
5. the Chairperson may limit the number of questions asked by each member of the public in order to ensure that all members of the public wishing to ask questions are given the opportunity within the allocated time
6. the Chairperson will decide the order in which questions are to be asked and may rotate the order between different members of the public if individuals have more than one question to ask
7. the Chairperson may, in their absolute discretion:
 - a) refuse to answer a question if the Chairperson deems that it is inappropriate or does not comply with these rules or the rules of the Council meeting, or
 - b) take a question 'on notice', in which case the answer will be provided in writing prior the next Council meeting and included on the agenda for the next Council meeting
8. if a question is taken on notice, the Chairperson may request that the member of the public submit their question in writing and may refuse to provide a response if the question is not provided as requested, and
9. the 15 minutes allocated for Public Question Time may be extended at the discretion of the Chairperson at the conclusion of the time period. Council is to publish information relating to Public Question Time, including any additional rules and procedures, on Council's website.

Question on notice – Clare Lond-Caulk, Collinsvale

(Received Monday, 19 February 2024)

Could Council please update us on the water situation at the pool, including:

Q1: When you drained the pool did you also turn off the isolating valve at the site?

Response:

Yes, the water has been turned off at the isolating valve.

Q2: What has been the meter reading since then?

Response:

As the isolating valve has been turned off, there has been no change in the meter.

Q3: What were the pipe works undertaken in early December?

Response:

The works undertaken in December were unrelated to the pool. These were repairs to the main Anfield Street water line that runs under the footpath.

Q4: Has this led to any further conclusions on potential leaks at the pool?

Response:

No, as per above, these works were unrelated to the pool.

Question on notice – Bradley McDougall, Claremont

(Received Saturday, 24 February 2024)

Q1: In light of recent State Political party commitments of 5 million dollars by both Liberal and Labor majority Government to repair and re open our War Memorial Pool, will the Mayor and every sitting Alderman who voted unanimously for the pools indefinite closure make a public commitment to keep the pool at its current site location?

Response:

Council voted unanimously at its meeting on 26 February 2024 (item 9, sub-clause 5) as follows: “In light of the bipartisan election commitments of \$5m funding, DIRECT the General Manager to identify priority works required and start planning to safely repair and reopen the Glenorchy War Memorial Pool, while long-term solutions are being explored”.

Q2: Will Council now abandon the MI Global consultation process immediately?

Response:

Council is firmly committed to a long-term solution for the pool. The funding promised during the election allows the pool to be repaired and made safe for public use in the shorter-term and reopened to the public while a long-term strategy is developed.

Even with the repair work, it will only provide a relatively short-term solution for the pool, so it is important that Council continue to look for a longer-term outcome for the community.

The report prepared by MI Global will form the basis for understanding what the community wants to see at the site, as well as providing a business case for the significant funding that will be needed.

Therefore, the MI Global project will continue so that we have a long-term solution for the site that is informed by community wants and needs.

Q3a: As the General Manager chose to close the pool indefinitely, can he provide the page number or paragraph of Council’s commissioned Lacus Report where it recommended closure as an option?

Response:

The General Manager decided in his capacity as a person conducting a business or undertaking (PCBU) under the *Work Health and Safety Act 2012* that the pool not reopen for the foreseeable future based on the findings of the condition assessment conducted by Know-Ledge Asset Management and Lacus (refer to 31 July Council report). This decision was made to protect workers and public safety.

Q3b: Further more, will the General Manager resign his position for taking such a drastic position when repair was an option outlined in the same report?

Response:

No.

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:

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, 19 February 2024 to Sunday, 17 March 2024.

Monday 19 February 2024

- Chaired the Council workshop

Tuesday 20 February 2024

- Participated in Greater Hobart Mayors Forum

Thursday 22 February 2024

- Participated in Southern Tasmanian Regional Waste Authority and Local Board meeting
- Attended the Southern Tasmanian Regional Waste Authority Local Government Forum

Monday 25 March 2024

Council Meeting Agenda

- Officially opened the MONA FOMA and other exhibitions at the Moonah Arts Centre Exhibition

Friday 23 February 2024

- Interview with HOFM regarding Community and Volunteer Awards and the Glenorchy Jobs Fair
- Met with Josh Willie and Ella Haddad
- Met with Tony Kennedy, ALH Group
- Attended MONA FOMA opening night

Monday 26 February 2024

- Chaired Council meeting

Monday 4 March 2024

- Chaired Council workshop

Tuesday 5 March 2024

- Attended site visit and tour of Possability/Oak Industries
- Attended site visit and tour of St Francis Flexible School

Wednesday 6 March 2024

- Quarterly meeting with Inspector Jim Semmens
- Judging of Summer Colouring Competition with local artist Adelphie He

Thursday 7 March 2024

- Met with Andrew Wilkie

Monday 11 March 2024

- Attended Jack Jumpers game at MyState Bank Arena

Tuesday 12 March 2024

- Attended signing of Metro Jobs Pledge at Glenorchy Jobs Hub
- Chaired Council workshop

Wednesday 13 March 2024

- Participated in Community Yarn at Collinsvale Hall

Thursday 14 March 2024

- Attended MCOT Governor's Reception for Harmony Week at Government House

Monday 25 March 2024

Council Meeting Agenda

Friday 15 March 2024

- Hosted Benjafield Park Playspace Opening

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, 19 February 2024 to Sunday, 17 March 2024.

Attachments/Annexures

Nil.

GOVERNANCE

Community Goal – Leading our Community

9. FINANCIAL PERFORMANCE REPORT TO 29 FEBRUARY 2024

Author: Manager Finance (Allan Wise)
Qualified Person: Director Community & Corporate Services (Tracey Ehrlich)
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: Deploy the Council's resources effectively to deliver value while being financially responsible.

Reporting Brief:

To provide Council with the monthly Financial Performance Report for the period ending 29 February 2024.

Proposal in Detail:

Council's Financial Performance Report (Report) for the year-to-date ending 29 February 2024 is at [Attachment 1](#).

The Report highlights Council's operating result as at the end of February is \$1.872 million better than budget. The favourable variance is the combined result of \$0.412 million more revenue than budget and \$1.460 million less expenditure than budget.

Executive Summary

The financial position at the end of February continues to report favourable revenue and expenditure results.

The mid-year review budget review (budget) adopted by Council at the last Council meeting resolved many of the permanent budget variations reported to date. The

favourable result reported this month is largely due to timing variations which are expected to resolve in the remaining months to 30 June.

The forecast for the remainder of the 2023/24 financial year indicates a modest favourable position will continue.

Revenue

Year-to-date operational revenue is \$68.035 million compared to budgeted operational revenue of \$67.623 million. This represents a favourable result of \$0.412 million or 0.6% against budget.

Revenue is tracking very close to budget with only a 0.6% year-to-date variance.

Of particular note is the level of investment interest generated due to the availability of increased funds not required to be expended to date. According to the latest forecasts, these funds may be called upon in the rundown to 30 June as 2023/24 work programs move towards completion.

Expenditure

Year-to-date operational expenditure is \$44.745 million compared to budgeted expenditure of \$46.205 million. This represents a favourable result of \$1.460 million or 3.2% against budget.

Expenditure is tracking closer to budget following the mid-year review.

Of particular note, materials and services are currently recording an underspend with current forecasts indicating a catch up by 30 June.

Non-operating – Capital Grant Revenue

Capital grants revenue is \$6.444 million against an annual budget of \$11.971 million.

The Federal Government funds the annual budget for capital grants and pays on an arrears basis. Council must undertake the works first and then submit milestone claims to recover the expenditure.

It is anticipated capital grants will not achieve budget until the end of the financial year and there may be a carry forward into next financial year.

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

Disposal of assets currently records a minimal gain of \$8,000 against an annual budget loss of \$0.418 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

No non-monetary assets have been recorded to date against an annual budget of \$3.500 million.

Typically, these are donated / gifted assets received from subdivisions and similar developments, as well as assets found not to be currently recorded in the asset register.

Non-Operating – Assets Written Off

No assets have been written off to date against an annual budget of \$1.920 million.

Typically, this relates to the residual value of assets that have reached the end of their useful lives and have been replaced.

Capital Works

Year-to-date Capital Works expenditure is \$13.950 million against a combined annual budget of \$32.686 million and a combined annual forecast spend of \$28.766 million.

At the end of February, \$7.775 million or 50% of the annual recurrent budget has been expended on recurrent projects and \$6.176 million or 36% of the major projects budget has been expended.

There has been no major change to the capital works program since Council received and noted the quarterly Capital Works Status Report at last month's meeting. In summary, the recurrent program is forecast to complete its body of works by 30 June. The major projects program will result in some carry forward works into the next financial year as previously indicated.

Further Information

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 29 February 2024 as set out in Attachment 1.

Attachments/Annexures

- 1 Attachment 1 - Financial Performance Report - February 2024



10. AUDIT PANEL CHARTER & CODE OF CONDUCT

Author: Director Community and Corporate Services (Tracey Ehrlich)

Qualified Person: Director Community and Corporate Services (Tracey Ehrlich)

ECM File Reference: Policies

Community Plan Reference:

Transparent and accountable government.

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.

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

Reporting Brief:

To present the Audit Panel Charter and Audit Panel Code of Conduct for review and adoption.

Proposal in Detail:

Audit Panel Charter

The Audit Panel Charter sets out the objectives, functions, composition, administrative arrangements, reporting requirements, and tenure of the Audit Panel. It is treated as a policy of Council because it governs how Council wishes to implement the requirements for an Audit Panel as defined in section 85 and 85A of the *Local Government Act 1993* ("the Act").

The Charter was thoroughly reviewed in 2021, at which time a complaints management process was added. The Charter was recently referred to the Audit Panel for feedback where it was proposed that:

- The Council review cycle be shifted from every two years to every four years in line with other Council policies; and
- The Charter be additionally reviewed following each Council election.

No other material changes are proposed. The Charter is included as Attachment 1 to this report.

Audit Panel Code of Conduct

The Audit Panel Code of Conduct outlines the standards of behaviour expected of Council’s Audit Panel members. These standards support the characteristics of good governance, which are outlined in the *Good Governance Guide for Local Government in Tasmania*. The Audit Panel Code of Conduct requires members to provide notification of conflicts of interest, act ethically, and perform their role in the best interests of Council and the community.

There are no changes proposed to the Audit Panel Code of Conduct. It is included as Attachment 2 to this report.

Consultations:

Executive Leadership Team
 Audit Panel
 Corporate Governance

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
<p>Adopt the recommendation</p> <p>The amended policies do 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.</p>	Minor (C2)	Unlikely (L2)	Low	Responsible officers continue to monitor compliance with policies and ensure that any amendments are made in a timely manner, as required.
<p>Do not adopt the recommendation</p> <p>Governance administration would be less optimal due to the presence of outdated and less effective policies.</p>	Minor (C2)	Likely (L4)	Medium	Council officers are instructed to review the policies and implement any changes requested by Council as soon as practicable.

Community Consultation and Public Relations Implications:

Adopted policies will be published on Council’s website.

Recommendation:

That Council:

1. ADOPT the Audit Panel Charter as set out in Attachment 1.
2. ADOPT the Audit Panel Code of Conduct as set out in Attachment 2.

Attachments/Annexures

- 1 Audit Panel Charter 2024
[⇒](#)
- 2 Audit Panel Code of Conduct
[⇒](#)

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

CLOSED TO MEMBERS OF THE PUBLIC

12. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council Meeting(Closed Meeting) held on 26 February 2024 be confirmed.

13. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal – Leading our Community

14. 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).

**15. GENERAL MANAGER'S MID-YEAR PERFORMANCE REVIEW
2023/2024**

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(a) (Personnel matters, including complaints against an employee of the Council and industrial relations matters).

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