

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 25 March 2024 at 3:30pm**



**Present
(in Chambers):**

Alderman Bec Thomas (Mayor), Alderman Sue Hickey (Deputy Mayor), Aldermen Shane Alderton, Josh Cockshutt, Jan Dunsby, Steven King, Stuart Slade and Russell Yaxley, Councillors Molly Kendall and Harry Quick.

**In attendance
(in Chambers):**

Tony McMullen (General Manager), Tracey Ehrlich (Director Community and Corporate Services), Emilio Reale (Director Infrastructure and Works), Luke Chiu (Manager Property, Environment and Waste), Emma Watkins (Coordinator Executive & Strategy), Melanie Burk (Executive Assistant to the Mayor), Michael Sokulski (Chief Financial Officer), Allan Wise (Manager Finance)

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

Mandy Henderson (Executive Assistant to the General Manager)

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

The Council meeting was live streamed on Council's website, Facebook page and YouTube channel. The peak number of viewers watching the live stream was 25 viewers and 5 members of the public attended in person.

The Chair opened the meeting at 3.32pm.

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

The Chair read a statement noting that the meeting would be recorded and live streamed to members of the public, and about work health and safety at the Council meeting.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

The motion was put.

Resolution:

SLADE/ALDERTON

That the minutes of the Council meeting held on Monday, 26 February 2024 be confirmed.

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

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

MI Global project update

MI Global report they are in the final stages of the first engagement phase, with community engagement strong and key stakeholders consulted with. A specific survey of schools is also in field.

MI Global expects to close phase 1 of the engagement prior to Easter.

The stakeholder engagement report will capture all insights from the surveys and interviews and will be issued to Council and be published online for community review and comment.

MI will consolidate all information into an Options Assessment Presentation to assist with the second phase of engagement. This will include a Public Insights Session, in person, 2 -3 online workshops with key stakeholders. Dates for these engagement opportunities will be advised in due course.

Preservation of current pool shell

Council has had aquatic engineering specialist, Lacus, inspect the pool in recent weeks in preparation for the repair works to be undertaken with the recent \$5M State election funding commitments.

As part of this inspection, Council sought advice on whether the pool shell needed to be filled with water to protect its structural integrity.

The advice received is that the risk associated with an empty shell is that ground water may build-up underneath, which could subsequently push the floor of the pool shell up (without the weight of the pool water to hold it down) and cause cracking.

However, rather than refill the pool, the advice from Lacus is to install a series of Hydrostatic Relief Valves on the floor of the pool. These valves will open if there is an excessive build-up of water pressure underneath the pool shell whilst it is empty, to mitigate any risk of cracking.

The technical specification for the installation of the relief valves is currently being prepared, and the installation works will be undertaken ASAP, using Council funds.

The relief valves will also provide ongoing benefits for the pool, given it needs to stay empty during the planned repair works, and will be emptied each year for maintenance.

4. PECUNIARY INTEREST NOTIFICATION

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

The General Manager declared an interest in Item 15 – General Manager’s Mid-Year Performance Review 2023-2024.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question without notice – Deanne Gillie/Shaw, Granton

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)

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: Furthermore, 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.

Question without notice – Deanne Gillie/Shaw, Granton

Q1: Will MI Global be using the pool action groups as part of your focus tool for community engagement with the pool discussion outcomes?

A: [Manager Property, Environment and Waste] My understanding is that they have every intention of consulting with those groups and I believe that all are openly invited to attend the public meeting, they are open to speak to any of the representative of those groups. Everyone from the community is able to provide their input, complete the surveys and attend the meetings. There are no focus groups as part of the project.

Q2: Did Council provide the Let's Talk handout brochures and do you agree it looks to be like a Council controlled manipulation with the whole survey process?

A: [Manager Property, Environment and Waste] The Let's Talk handouts were specifically given to the consultants to have at the table because there was the potential that people would come to those tables to talk about things other than the pool. If there were other questions asked that were unrelated to the pool, the handouts could be provided.

[Mayor] Council and MI Global are trying to consult with as many people in the community as possible. We have heard loud and clear through the process over the last nine months that the pool is used by people from across greater Hobart, which is why we are opening it up, not just to residents, but to all users. We welcome the feedback from a broad user group and people in the community who are interested in the project. Council remains completely open minded to the future and to receiving the feedback and to hearing from people as to what they want to see in the future of the site. As you know, we are committed to the repair with the \$5M election commitment. Council has no control or influence over any of those Save the Pool groups. We weren't involved in the startup or establishment of those groups, I want to make that clear and on the record.

Question without notice – Janiece Bryan, Montrose

Q1: Did the Mill Lane planning amendment discussion on the 12th of March include the Barry/Regina Street car park and the additional Health Centre car park for disposal?

A: [Mayor] Yes, the car park has been discussed as part of those and I believe we have a frequently asked questions document out which categorically states that Council has no intention or resolution at this time in relation to the disposal of any of those car parks.

Q2: Do you have any information about the YMCA redevelopment?

A: [Mayor] Council does not own the YMCA, nor have control over its redevelopment. I do not believe that the Mayor at the time announced the funding, but perhaps welcomed the funding for improved recreation facilities for our community as a key stakeholder. That is perhaps why the Mayor may have been present at that announcement. I do believe that we have approved the development application for that development, I haven't had an update recently as to how that is progressing.

[Director Infrastructure and Works] They have the development application and they submitted the building and plumbing application and engineering drawings. The scope has changed a bit because of cost escalations that have been affecting all major construction projects. They are in the final stages of getting something that can be priced so that they can start. There have been some delays in submitting their engineering drawings.

Question without notice – Leanne Rose, Glenorchy

Q1: Will you acknowledge and thank Dr Shane Gould and will you advertise the public meeting so that we get a lot of people to come along?

A: [Mayor] The meeting has been advertised on the Council website. We certainly welcome the submission from Dr Shane Gould on the night and we will be there to participate in the meeting. The meeting is being facilitated by an independent facilitator.

Q2: Can you ask the independent facilitator to contact me?

A: [Mayor] Yes, we will do.

Question without notice – Mala Crew, Glenorchy

Q1: Would you invest in fencing along the creek near the YMCA, the Constance Avenue area to shut off access to the creek for the young adults that go along on their motorized scooters and exhibit anti-social behaviour that adversely impacts on neighbouring residents?

A: [Manager Property, Environment and Waste] Since we have been contacted about this Council has completed a number of things, that area is fenced, we have fixed up the holes that were in the fence, put up prohibited access signs and we put a gate in the area that was left open. The idea of putting a tall security fence in is problematic, we can't do that for our entire creek network that backs onto so many properties through the city. I don't think there is any realistic expectation that Council provides security fencing along the entire creek ways of our municipality. As noted, people are coming up through the pipes with their scooters. There are many other ways to access the creek just by walking up and down the creek and through the pipes. It is so easy to cut fencing open, so the fencing is there to stop small children wandering down and falling into the creek, but not going to stop people that are determined to do any antisocial behavior in the creeks or the pipe network. It is a police matter if these people are doing illegal activities and vandalizing or harassing residents, and it is important that any illegal activities are reported to the police.

Q2: Why are we building luxury apartments as opposed to decent housing for families?

A: [Mayor] Council has a strategic goal of being open for business. We also have a statement of commitment on housing and supporting both of those goals are strategies to look at how we can densify housing through our city of Glenorchy. The recently approved special area plans for our principal activity centre and our northern apartments corridor aim to increase the availability of housing along those particular areas. We recognise that we simply need to change the way we do housing in greater Hobart if we are to accommodate our population growth over the next 30 years. We have a significant role to play in strategic planning to be able to accommodate for that growth, to ensure that everyone has a roof over their head. As a Council we aren't building any houses. We are provided the planning controls to enable developers to come in and develop housing, whether that be social housing, affordable housing, whatever it might be, but it is not specifically luxury apartments. The Moonah to Montrose corridor provides the provision of increased density housing, whatever that may look like, in the aim of ensuring that everyone has a home.

Question without notice – Eddy Steenbergen, Rosetta

Q1: How and why was the decision made to schedule a workshop for a time when most Glenorchy Planning Authority (GPA) meetings will still be underway?

A: [Mayor] Council takes every opportunity not to schedule in too many workshops around GPA meetings, however we have such a full schedule of activities and issues to deal with and some of those can be time sensitive. In terms of the running of the meetings, it has been discussed amongst GPA members that we don't need such comprehensive presentations from our planning staff. We take our role as GPA members very seriously and our responsibility to fully read and understand the papers and be prepared with questions to ask in advance of the meeting, if necessary and then in the meeting as well.

We take the papers as read, to some degree. It is a meeting of the planning authority and doesn't need to be staged to be presenting to the public. It is a meeting of the planning authority for us to debate and ask questions and decide on applications. I have asked the Director in the past to try for staff to make their presentations more concise, in the interest of getting on with the meeting. Noting we have read the presentations and come armed with questions if we do have them.

Q2: What was the purpose of the Budget workshop that followed the GPA meeting last week and what comes next?

[Mayor] Council has a series of budget workshops to help inform the development of our budget and the specific workshop from last week was in relation to the capital budget and the proposed spend for our capital work program. Highlights of key projects that are proposed to be undertaken with that capital budget. An opportunity to get a brief on what might be coming to us in our draft budget and discuss the projects proposed.

[General Manager] We will be looking at our operating budget as a separate workshop going forward.

7. PETITIONS/DEPUTATIONS

None.

COMMUNITY

Community Goal – Making Lives Better

8. ACTIVITIES OF THE MAYOR

File Reference: Mayoral Announcements

Reporting Brief:

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

Resolution:

DUNSBY/COCKSHUTT

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

GOVERNANCE

Community Goal – Leading our Community

9. FINANCIAL PERFORMANCE REPORT TO 29 FEBRUARY 2024

File Reference: Corporate and Financial Reporting

Reporting Brief:

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

Resolution:

DUNSBY/KENDALL

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

10. AUDIT PANEL CHARTER & CODE OF CONDUCT

File Reference: Policies

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.

Resolution:

QUICK/DUNSBY

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.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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

None.

Resolution:

KING/SLADE

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

The motion was put.

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

AGAINST:

The motion was CARRIED.

The meeting was closed to members of the public and the live stream was terminated at 4:20pm.

CLOSED TO MEMBERS OF THE PUBLIC

Closed session commenced at 4:22pm.

Resolution:

SLADE/ALDERTON

That the agenda of the Council meeting (closed meeting) held on Monday, 25 March 2024 be re-ordered to reverse items 15 and item 16.

The motion was put.

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

AGAINST:

The motion was CARRIED.

12. CONFIRMATION OF MINUTES (CLOSED MEETING)

Resolution:

ALDERTON/SLADE

That the minutes of the Council meeting (closed meeting) held on Monday, 26 February 2024 be CONFIRMED.

The motion was put.

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

AGAINST:

The motion was CARRIED.

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).

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

The General Manager and all staff left the meeting at 4:58pm prior to the discussion of Item 15 – General Manager’s Mid-Year Performance review 2023/2024.

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).

Resolution:

KING/YAXLEY

Resolution:

That the meeting be moved back into open Council.

The motion was put.

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

AGAINST:

The motion was CARRIED.

The Chair closed the meeting at 5:15pm

Confirmed,

CHAIR