

**COUNCIL MEETING
AGENDA
MONDAY, 31 MARCH 2025**



GLENORCHY CITY COUNCIL

QUALIFIED PERSON CERTIFICATION

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

A handwritten signature in blue ink, appearing to read 'Tony McMullen', is positioned above a horizontal line.

Tony McMullen
Chief Executive Officer
MONDAY, 31 MARCH 2025

Hour: 3:30 PM

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: Tuesday, 11 March 2025

Purpose: To discuss:

- LGAT Motions
- We Stand Together
- CEO Briefing Agenda

Date: Monday 17 March 2025

Purpose: To discuss:

- Capital Works Budget Review
- Local Government Legislative Changes
- Project Hudson Status

Date: Monday, 24 March 2025

Purpose: To discuss:

- MS Teams Training
- Budget Bids Session #2
- LGAT GMC Election Process

ELECTED MEMBER STATEMENT OF INTENT

November 2022

We will...	By...
Be curious, open to change and difference	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Being accessible Being honest and trustworthy Demonstrating transparency and accountability
Be respectful to each other	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Self-reflecting Being open to feedback Being brave enough to be vulnerable
Show strong leadership	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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 24 February 2025 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question with notice – Michelle Austen, Glenorchy Received 29 January 2025

Q1: When Councillors begin their term in office they are appointed to committees. Why are Councillors who work in say, real estate, allowed to join the planning committee when this would be a clear conflict of interest.

A1: An elected member would be required to declare and manage a conflict of interest in any matter coming before them. There is not an automatic conflict of interest in every matter because a person was, for example, a real estate agent.

It is a matter of considering the circumstances surrounding each individual matter that comes forward to an elected member for decision.

The *Local Government Act 1993* sets out in detail the requirements for elected members when it comes to conflict of interest.

In summary, the Act requires elected members to bring an open and unprejudiced mind to all matters being decided upon in the course of their duties, including when making planning decisions as part of the Council's role as a Planning Authority. They must make decisions free from personal bias or prejudgement.

There are two kinds of conflict detailed in the Act – pecuniary (or “money-related”) interests and non-pecuniary interests.

Pecuniary interest

An elected member has a pecuniary interest in a matter if the elected member or a close associate would, if the matter were decided in a particular manner, receive, have an expectation of receiving or be likely to receive a pecuniary benefit or pecuniary detriment.

Close associate is defined in detail under the Act to include a range of business and family relationships.

If an elected member has a pecuniary interest in a particular matter, they are required to declare their interest, leave the room and not participate in the decision-making. There are penalties under the Act for not doing so.

Non-pecuniary interest

Non-pecuniary interests are non-money-related personal or private interests (whether actual, potential or perceived) that might unduly influence, or be

seen to unduly influence, an elected member in their decision-making. These are addressed in the Elected Member Code of Conduct and the Act.

An elected member must act in good faith and exercise reasonable judgement to determine whether they have an actual, potential or perceived conflict of interest.

An elected member must avoid, and remove themselves from, positions of conflict of interest as far as reasonably possible.

An elected member who has a non-pecuniary interest, must:

- (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
- (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the elected member to remove themselves physically from any Council discussion and remain out of the room until the matter is decided by the Council.

There are penalties under the Act for not complying with the Code of Conduct.

**Question with notice – Eddy Steenbergen, Rosetta
Received 6 February 2025**

Please find below the response I received to a question I asked in public question time in January 2025 open council. I'd like some clarification, so I ask the following questions with notice.

In answer to the question, you asked, which was “what is the nature of the report Council receives from the recycling facility Cleanaway” we committed to seek permission to provide you with the headings of the report, so you have an insight into the nature of the report. Cleanaway agreed to providing this information to you.

This report has commercial in confidence information which we do not have permission to publicly release. Council sought permission to provide the topics that are reported on, so you have an insight to the nature of the report.

The report content is:

- Council Monthly Tonnes In
- Commercial Tonnes In
- Total Tonnes In
- Council Monthly Tonnes In – Percentages
- Commercial Monthly Tonnes In – Percentages
- Glass Out
- Waste Out
- Cardboard In/Out
- Commodities Out
- 6.1 Standard Reporting
- 6.2 Incident Report

Q1: When the word "in" appears, where is the measured material going from and where is it going to?

Response:

The material comes from the 12 southern Tasmanian Councils. Council is not informed of where it is going to.

Q2: When the word "out" appears, where is the measured material going from and where is it going to?

Response:

The material is going from the Material Recovery Facility in Derwent Park Road. Council is not informed of where it is going to.

Q3: What is the definition of "commodities" in the context of the report? together with these additional questions?

Response:

Commodities is made up of cardboard, paper, metals and plastics.

Q4: Does Council have any data relating specifically to reuse of plastics recovered by Cleanaway at its MRF? If so, can you describe its nature?

Response:

Council does not have this data.

Q5: Does Council have any data relating to reuse of any materials whatsoever recovered by Cleanaway at its MRF? If so, can you describe its nature?

Response:

Council does not have this data.

Question without notice – Manfred Gutmann, West Moonah

Asked during February 2025 Council meeting

Q1: I sent a detailed email on 8 January 2025, to which I have had no response other than the 4 questions and answers emailed to me and noted in this agenda. Can Council please respond to my questions?

A1: [CEO]

Council, as a local government authority, follows the public health advice of State and Federal health authorities as the best way of fulfilling our health and safety duty.

The Therapeutic Goods Administration (TGA) is aware of misinformation in recent media and online reports that claim the COVID-19 mRNA vaccines are contaminated with excessive levels of DNA. This is not the case.

These reports are based on studies conducted by a small number of laboratories that have attempted to investigate the amount of DNA in COVID-19 vaccines.

While the TGA welcomes and constantly reviews the latest scientific evidence about the safety of vaccines and other biotechnology products, these recent studies fail to apply the required scientific rigor expected in pharmaceutical testing. As such, the results are not robust or reliable and are creating confusion and concern regarding the safety of vaccines.

Many of our concerns are listed [below](#):

The TGA reassures the public that all COVID-19 vaccines approved in Australia have been rigorously assessed and meet our high standards for safety, quality, and efficacy.

Vaccination against COVID-19 is one of the most effective ways to reduce the risk of death and severe illness from infection. The protective benefits of vaccination far outweigh the potential risks. This [statement from medicine regulators around the world](#) provides more information on the good safety profile of COVID-19 vaccines:

Key messages:

- COVID-19 vaccines significantly reduce the risk of severe disease, hospitalisation and death from infection with SARS-CoV-2.
- SARS-CoV-2 keeps changing and revaccination may be needed to maintain protection against new variants and continue saving millions of lives worldwide.
- Evidence from the more than 13 billion of vaccine doses given worldwide shows that COVID-19 vaccines have a very good safety profile in all age

groups. The benefits of the approved vaccines far outweigh the possible risks.

- The vast majority of side effects are mild and temporary. However, safety monitoring (pharmacovigilance) systems have identified some very rare (occurring in less than 1 in 10,000 people) but serious side effects. Medicines regulators around the world have put in place measures to reduce the risk of harm from these side effects.
- As for all medicines, reports of medical events after COVID-19 vaccination (suspected side effects) are collected and continuously evaluated by the authorities. These evaluations show that in most cases the medical events were not caused by the vaccine.
- False and misleading information about the safety of COVID-19 vaccines on social media often exaggerates the frequency and severity of side effects. Misinformation also wrongly attributes unrelated medical events to the vaccines. Vaccine misinformation leading individuals to decline vaccination has very likely led to many more deaths than adverse effects of the vaccines.
- There is no evidence that COVID-19 vaccines have contributed to excess mortality during the pandemic. Excess mortality largely coincides with peaks of SARS-CoV-2 infections, particularly during the first waves when vaccines were not available. In fact, there is strong evidence that COVID-19 vaccines save lives and prevent the serious harm associated with SARS-CoV-2 infection.
- Emerging evidence also suggests that long COVID is less likely to develop in people who have been vaccinated.

Directives required Glenorchy City Council staff to be vaccinated to protect themselves from COVID and reduce the likelihood of spread of COVID to others, including other staff members, family members and community members.

This was consistent with my duty as person conducting the business or undertaking under the *Work Health and Safety Act 2012*.

[Mayor] This is not in our sphere of influence. Please note that the above will be recorded in the February minutes and the March agenda.

Question without notice – Janiece Bryan, Montrose

Asked during February 2025 Council meeting

Q1: Will Council consider using part of the substantial Golden Years Club as it is a very large building and a perfect and safe location for youth arts and recreation centre activities in conjunction with maintaining areas for the much-needed activities for older community members?

A1: [Deputy CEO] We are still going through the expression of interest process. We need to see what is brought forward to us before we can bring those to Council for due consideration.

Q2: Is it possible for the old croquet club to be used in some way for the youths?

A2: [Deputy CEO] It has deteriorated quite a lot. We have looked at it. It would also have to go under an expression of interest process. We support a facility for young people.

Question without notice – Eddy Steenbergen, Rosetta

Asked during February 2025 Council meeting

Q1: This is about the agenda item on the Open Council Workshops. Did Council consider asking the public what topics they may be interested in?

A1: [Mayor] We have asked at Open workshops what people may be interested in. Certainly, we have also discussed it amongst ourselves and with staff and everyone is looking for suitable people to be able to present really interesting topics. We really welcome any ideas, so if you have something that you have a particular interest in, by all means, put it forward.

[CEO] There isn't a defined process. Some workshop topics are decided based on approaches from external organisations, others come from officers and others are suggested by the mayor.

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 with notice – Eddy Steenbergen, Rosetta
Received 10 March 2025**

This question relates to the change to speed limits on Marys Hope Road so that it is 50kph along its entire length.

Q1: Can council provide me with statistical data or any other evidence that demonstrates that traffic speeds have dropped since the change was made? If not, why not?

Response:

Council collected traffic count data, including speeds in 2020, outside 190 Marys Hope Road. This was prior to the speed limit reduction. Council plans to install traffic counters again in the second school term this year, to compare the traffic speeds.

Futher information can be provided once this has occurred.

Q2: If there is no evidence that traffic speed has reduced, will council consider traffic calming measures to encourage lower speeds (and/or discourage higher speeds)? If not, why not?

Response:

As above.

7. PETITIONS/ADDRESSING COUNCIL MEETING (DEPUTATION)

COMMUNITY

Community Goal – Making Lives Better

8. ACTIVITIES OF THE MAYOR

Author: Mayor (Sue Hickey)
Qualified Person: Chief Executive Officer (Tony McMullen)
ECM File Reference: Mayoral Announcements

Community Plan Reference:

Leading our community

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:

These are the events and external meetings attended by Mayor Hickey during the period from Monday, 17 February 2025 to Sunday, 23 March 2025

Monday, 17 February 2025

- Participated in a live to air ABC Radio Interview to talk about the Glenorchy War Memorial Pool, building a better, cleaner city, creating a safer city, the Treasure Trail and Community and Volunteer Awards
- Chaired the Glenorchy Planning Authority meeting
- Chaired the Council Workshop

Tuesday, 18 February 2025

- Participated in a meeting with Frances Butler and Steve McEntee of the Lutruwita Art Orchestra

Wednesday, 19 February 2025

- Participated in a meeting with Relationships Tasmania representative and Forgotten Australians
- Participated in Cuppa with a Cop at Glenorchy Central
- Participated in a meeting with the President of Football Tasmania and the CEO of Football Tasmania
- Participated in the Karadi Aboriginal Corporation Special Event breaking ground to mark the commencement of works to develop the new medical centre

Thursday, 20 February 2025

- Participated in the annual Floral Tribute of Hobart Town First Settlers
- Participated in a meeting with Danny Mayson-Kinder, founder of the b kinder Foundation

Friday, 21 February 2025

- Participated in the Australian Local Government Women's Association General Meeting
- Participated in a television media event with Dress for Success at the Moonah Community Centre
- Participated in a meeting with Brett Morris and Chris Scanlon about volunteering

Sunday, 23 February 2025

- Participated in a television media appearance with Premier Rockliff and Larry Kestelman about the development of Wilkinsons Point

Monday, 24 February 2025

- Participated in a media event about the project to transform the New Town Rivulet Estuary with Lord Mayor Anna Reynolds
- Chaired the Council Meeting

Tuesday, 25 February 2025

- Participated in afternoon tea with residents of Glenview, Windsor Street
- Participated in a meeting with Simon Behrakis MP and CEO, Tony McMullen
- Attended the Claremont College Awards evening for 2024 Students

Wednesday, 26 February 2025

- Participated in the Local Government Association of Tasmania Mayor's Feedback meeting on the targeted amendments to the Local Government Act

Thursday, 27 February 2025

- Participated in an interview with ABC Radio Hobart's Leon Compton about election priorities
- Attended the launch of the new Glenorchy Ambulance Station
- Participated in the Compassionate Leadership Workshop facilitated by Catherine Kolomyjec, trauma-specialist social worker

Saturday, 1 March 2025

- Participated in the Pacifica Community Festival at Tolosa Park

Monday, 3 March 2025

- Chaired the Council Workshop

Tuesday, 4 March 2025

- Attended Glenorchy Probus Club to present on the Glenorchy War Memorial Pool
- Participated in a media event with Tas Water about the finalisation of the Tolosa Water Tank Murals

Wednesday, 5 March 2025

- Participated in a tour of Uniting Age Well Strathaven Rosetta to see the new wing
- Participated in the Greater Hobart Mayor's Forum
- Attended a meeting with Bill Harvey about greening the northern suburbs

Thursday, 6 March 2025

- Attended a meeting with Kerry Vincent MLC
- Attended an Amnesty Urban Group event in support of International Women's Day

Friday, 7 March 2025

- Attended a luncheon for International Women's Day at Government House

Saturday, 8 March 2025

- Attended the Nepali Society of Tasmania 'Happy Holi' event at Tolosa Park
- Participated in the Moonah Arts Centre 10th birthday celebration

Tuesday, 11 March 2025

- Chaired a Council Open Workshop

Thursday, 13 March 2025

- Participated in a tour of the new site development at MONA
- Attended a Harmony Week Reception at Government House

Friday, 14 March 2025

- Attended a meeting with Richard Dowling
- Attended a meeting with Tony Milham to discuss the housing shortage in Tasmania
- Attended a meeting with Toby Smith of Mondelez

Sunday, 16 March 2025

- Attended a thank you afternoon tea with the Claremont Flower Show Group

Monday, 17 March 2025

- Chaired the Glenorchy Planning Authority meeting

Tuesday, 18 March 2025

- Attended the launch of WorkVentures' *'1000 free laptops for Tassie Students'* at the Migrant Resource Centre
- Attended the Rotary Club of North Hobart to present on the Glenorchy War Memorial Pool

Wednesday, 19 March 2025

- Attended a meeting with the Glenorchy History Group
- Attended a meeting with the President of the Claremont RSL
- Met with a constituent regarding traffic concerns
- Participated in the Citizenship Ceremony

Thursday, 20 March 2025

- Participated in a community pop-up
- Participated in Glenorchy City Council's Belonging Day
- Attended the launch of 10 Days on the Island
- Attended the Rotary Club of Glenorchy to present on the Glenorchy War Memorial Pool

Friday, 21 March 2025

- Participated in the launch of *We Stand Together Against Racism* campaign by the Greater Hobart Councils
- Attended the reception to mark the 60th anniversary of the Australia China Friendship Society

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

Consultations:

Nil

Human Resource / Financial and Risk Management Implications:

Nil

Community Consultation and Public Relations Implications:

Nil

Recommendation:

That Council:

1. RECEIVE the report about the activities of Mayor Hickey during the period from Monday, 17 February 2025 to Sunday, 23 March 2025.

Attachments/Annexures

Nil.

9. INVESTIGATIONS INTO THE POTENTIAL DISPOSAL OF PART OF 10 BUCAAN STREET, CHIGWELL

Author: Manager Property, Environment and Waste (Luke Chiu)
 Senior Property Officer (Renee Kapitzke)

Qualified Person: Deputy Chief Executive Officer/Director Infrastructure and
 Development (Emilio Reale)

ECM File Reference: 10 Bucaan Street

Community Plan Reference:

Making Lives Better

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

There will be community services and programs for people of all ages and abilities to connect, support and make lives better.

Leading Our Community

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

The communities of Glenorchy will be confident that the Council manages the community’s assets soundly for the long-term benefit of the community.

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.

Leading our Community

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

Objective: 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 peaks bodies to achieve community outcomes.

Reporting Brief:

To recommend Council begins preliminary investigations into the potential disposal of part of 10 Bucaan Street, Chigwell (the Land) by way of donation.

Proposal in Detail:

Bucaan Community House are seeking a donation of land involving part of 10 Bucaan Street, Chigwell, as shown in figure 1 below.



Figure 1 – 10 Bucaan Street, Chigwell

The land is zoned as Community Purpose. The area of land requested is approximately 850 sqm and is directly adjacent to Bucaan Community House.

Bucaan Community House presented to a Council Workshop on 3 February 2025, outlining the services they provide to the local community, and their need to expand their current building in order to provide for a growth in services and to meet modern standards (such as accessible toilets). The slides from this presentation are provided in **Attachment 1**.

Some of the key points that Bucaan Community House outlined include:

- Operating from the Chigwell site for 40 years.
- Services have grown from 60 clients per week to 900 clients accessing their services each week (and a waitlist for most programs).
- Example of programs include free community lunches, no-interest-loan support, learner driver mentoring, free medical clinic, youth arts program, health and wellbeing groups, community garden, and Southern Tasmania's largest playgroup.

- Their existing building is a converted 1980's Housing Commission house that is not fit for purpose, is too small, has an inefficient layout, and no accessible toilets.
- Renovation plans represented poor value for money, with high costs and limited benefits, hence the current plan to extend with a conjoined new building.
- The proposal allows for services to continue during the new build.
- The State Government has pledged support to Bucaan House for a bigger building.
- A strong desire for the centre to stay at the same location in the heart of Chigwell.

This report is provided to Council to formally consider the request.

Given the important community services that Bucaan Community House provides to the local community, Council officers recommend initiating investigation into a potential land disposal by way of donation. Due to the high level of investment that is proposed for the land, the requested disposal would be for sale/donation or very long-term lease (40+ years). If the proposal proceeds, then officers would recommend the inclusion of a reversionary clause that the land must be returned to Council in the event that it is no longer used for a community house.

The first step in the process is to conduct community engagement on the proposal, to enable the community to raise any issues or concerns. Any feedback would be brought back to Council for consideration before any further decision is made.

Process for disposal of public land

If Council adopts the recommendations in this report, officers will commence the process for investigating the potential disposal of the property.

This process would begin with officers conducting an initial community consultation process in accordance with Council's Community Engagement Framework, to identify whether there are any significant 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 a letter to residents whose properties are located within proximity of 10 Bucaan Street, 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.

After receiving feedback from the community engagement process, officers would then report back to Council on these findings and seek a decision on whether to proceed with the statutory land disposal process under section 178 of the *Local*

Government Act 1993 (the Act) which would provide community members with a further opportunity to make representations about the proposed disposal.

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.

Following the completion of the formal notification, Council is required to consider any objections lodged. Any objectors would have an opportunity to appeal a decision to dispose of the land.

A summary of the land disposal process from the Policy is provided at **Attachment 2**.

Consultations:

Chief Executive Officer (CEO)
Deputy CEO/Director Infrastructure and Development
Director Community and Corporate Services
Elected Members
Manager Property, Environment and Waste
Recreation and Environment Coordinator
Community Development Coordinator

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, including administration of the program and community engagement. The cost of public consultation in terms of letters to surrounding residents is expected to be approximately \$300. These costs are covered by existing budgets within the Property unit.

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

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 (6)	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 of Council's decision to undertake a community engagement process on the proposed disposal of land.				
Do not adopt the recommendation	Moderate (3)	Possible (3)	Medium (9)	Council clearly articulates reasons for not proceeding with undertaking community engagement on the proposed land disposal.
Adverse public reaction of Council's decision not to further consider the request of Bucaan House and place at risk the continuation/expansion of the community services that Bucaan House provides to the local community.				

Community Consultation and Public Relations Implications:

Community consultation

As outlined above the purpose of this report is to recommend that a community consultation process be undertaken before Council decides whether to commence the section 178 process under the Act. This will provide the community with an 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. The public would have a further 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

At this stage the proposal is only to undertake public consultation. If the project ultimately proceeds there would be an opportunity for positive public relations by supporting a community organisation that undertakes extensive community work in the municipality.

Recommendation:

That Council:

1. ENDORSE the commencement of investigations into the potential disposal of part of 10 Bucaan Street, Chigwell (CT 250671/1) by donation to Bucaan Community House, on the basis that the Land be returned to Council if it is no longer used for a community house
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.

Attachments/Annexures

- 1 Bucaan Community House Presentation



- 2 Disposal of Council Land Flowchart



10. INVESTIGATIONS INTO THE POTENTIAL DISPOSAL OF PART OF 318 MAIN ROAD, GLENORCHY (STEEP PART OF EADY STREET RESERVE) TO SUPPORT HOUSING SUPPLY

Author: Senior Property Officer (Renee Kapitzke)
 Manager Property, Environment and Waste (Luke Chiu)

Qualified Person: Deputy Chief Executive Officer/Director Infrastructure and Development (Emilio Reale)

ECM File Reference: 318 Main Road (part of Eady Street Reserve)

Community Plan Reference:

Making Lives Better

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

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:

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.
Action	Actively contribute to housing supply in the City through the actions in Council’s Statement of Commitment on Housing.

Leading Our Community

Objective	We are a leader and partner that acts with integrity and upholds our community’s best interests.
Strategy	Communicate effectively with our community and stakeholders about what Council is doing.
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 peaks bodies to achieve community outcomes.
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.

Reporting Brief:

To recommend that Council commence preliminary investigations into the potential disposal of part of 318 Main Road, Glenorchy (the Land), via an exclusive dealing with Homes Tasmania, to increase housing supply. This land is part of the steep part of the Eady Street Reserve, outlined in red in figure 1 below.

Proposal in Detail:

The Tasmanian Government, through Homes Tasmania, has expressed its commitment to increasing affordable housing under the Tasmanian Housing Strategy 2023-2043. In alignment with this objective, Homes Tasmania has submitted an Expression of Interest (EOI) for the acquisition of part of 318 Main Road, Glenorchy, to develop medium-density residential housing, as shown in figure 1 below.



Figure 1 – Part of 318 Main Road, Glenorchy

The Land is zoned Inner Residential and is approximately 6,598 square metres in area and shares a boundary with the existing Homes Tasmania Windsor Street residential development.

Council officer's met with Homes Tasmania to discuss a collaborative outcome to increase housing supply, which is in line with Council's Statement of Commitment on Housing. This Land was identified as having strategic potential for residential development due to its proximity to essential community facilities in the Glenorchy CBD, public transport, and its Inner Residential zoning. Council also notes the site's access constraints and officers expressed a preference to retain public pedestrian access between Bowden Street and public recreation grounds at Eady Street, extending to the Glenorchy business district.

Homes Tasmania has recently requested that Council enter into an exclusive dealing to sell this Land to Homes Tasmania (**Attachment 1**).

In its request, Homes Tasmania notes its vision for the Land, aiming to create a community focused development, delivering medium density residential development with feasibility studies indicating the potential development of approximately 56 dwellings, along with necessary vehicular and pedestrian access.

As outlined in Homes Tasmania EOI, the goal of the proposed development is to provide:

- a place for people, with a quality public realm that provides connections to the nearby community facilities through a considered network of shared paths and a streetscape that prioritises human movement and connection.
- a place that is site specific, enhances the built environment and celebrates the unique characteristics of the community. The development will look to include a range of residential development lots that are diverse in scale and density, located appropriately and contain both private and public outdoor spaces.
- a place that provides and creates opportunities for quality design outcomes that enhances the profile of Glenorchy in terms of social, environmental and economic outcomes.
- a place that connects to the natural environment through quality landscaping and sustainability principles, whereby the public realm considers a range of street tree plantings and garden beds that provide pedestrian amenity, fosters biodiversity and creates water sensitive urban design opportunities.
- a place that considers how passive design and landscaping can create a development that is resilient to our changing climate, promote healthy communities and foster time spent outside.
- a place that is legible, creates a 'walkable community' and is easy to navigate for all abilities.

Homes Tasmania have also outlined their experience in delivering best practice architectural and urban design development projects of a similar scale across Tasmania with a recent example being at previously owned Council land 5a Taree Street, Chigwell.

Council officers recommend that investigation into a potential land disposal by way of exclusive dealing be initiated as part of Council's Statement of Commitment on Housing which specifically notes Council will "as a landowner, release surplus Council owned land to increase residential land supply for housing".

The first step in the process is to conduct community engagement on the proposal, where any issues or concerns can be raised by the community and brought back to Council for consideration before any further decision is made.

Previous consultation

Council has never formally proposed this land for disposal. However, in 2014, Council released a draft plan for developing the Glenorchy Recreation Ground (Eady St Reserve) into a multipurpose sports and community venue. Part of this plan identified the potential sale of this portion of underutilised inner residential zoned land.

Following the release of that draft plan, Council did receive numerous representations that objected to the potential sale of the land that was identified in the plan. The main reasons provided are summarised as:

- Access constraints (the property is land-locked apart from a narrow pedestrian access between 3 and 5 Bowden Street) and traffic.
- The importance of the land as a walking connection from Bowden Street through to Eady Street.
- Not-in-my-backyard, with some surrounding properties not wanting housing development to occur.

This feedback was over 10 years ago and was not undertaken under the land disposal processes of the *Local Government Act 1993*.

From a planning perspective, this piece of land has been zoned to enable medium density residential development for over 30 years.

With regards to the access constraints, the current EOI has been received from Homes Tasmania, who are also the owners of the adjacent property at 26 Windsor Street which would likely overcome the access constraints. With regards to the walking connection, Homes Tasmania proposes to condition any sale with them granting a 'right of footway' easement to Council for public pedestrian access to be maintained. With regards to not-in-my-backyard concerns, there is now greater appreciation of the dire need for affordable housing in the region, the land is zoned as Inner Residential, and Council has since adopted a Statement of Commitment on Housing including a commitment to specifically "release surplus Council owned land to increase residential land supply for housing".

Given the above, it is recommended that Council initiate a consultation process specifically around the potential disposal of the land and reporting those findings back to Council to consider if it wishes to pursue a formal land disposal process under the *Local Government Act 1993*.

Process for disposal of public land

If Council adopts the recommendations in this report, officers will commence the process for investigating the potential disposal of the properties under both Council's internal processes, along with section 178 of the *Local Government Act 1993 (the Act)*.

This would begin with officers conducting an initial community consultation process in accordance with Council's Community Engagement Framework, to identify whether there are any significant 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 a letter to residents whose properties are located within proximity of part of 318 Main Road, 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.

After receiving feedback from the community engagement process, officers would then report back to Council on these findings and 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 disposal.

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.

A summary of the land disposal process from the Policy is provided at **Attachment 2**.

Consultations:

Deputy CEO/Director Infrastructure and Development
Manager Property, Environment and Waste
Recreation and Environment Coordinator
Acting Parks and Recreation Coordinator
Coordinator Planning Services
Acting Manager Community
Community Development Coordinator

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 part of 318 Main Road, Glenorchy, which include administration of the program and community engagement. The cost of public consultation in terms of letters to surrounding residents is expected to be approximately \$300. These costs are covered by existing budgets within the Property unit.

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

Whilst it is only consultation that is proposed at this stage, it is noted that if the land disposal to Homes Tasmania does proceed then the offer from Homes Tasmania is to pay the valuation of the Land determined by the Valuer General.

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
<p>Adopt the recommendation</p> <p>Adverse public reaction of Council’s decision to undertake a community engagement process on the proposed disposal of land.</p>	Minor (2)	Possible (3)	Medium (6)	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.
<p>Adverse reaction to investigating an exclusive dealing with Homes Tasmania.</p>	Minor (2)	Possible (3)	Medium (6)	Council articulates its commitment to increasing housing supply, the land-locked nature of the land, the commitment to retain public walkway access, and the offer to provide a fair price in line with a valuation from the Office of the Valuer General.
<p>Do not adopt the recommendation</p> <p>Adverse public reaction of decision to not adopt the recommendation following Council’s Statement of Commitment on Housing and 2024/25 Priority Actions adopted in Council’s Annual Plan. Potentially hindering efforts to increase housing supply.</p>	Moderate (3)	Likely (4)	High (12)	Council clearly articulates reasons for not proceeding with undertaking community engagement on the proposed land disposal.

Community Consultation and Public Relations Implications:

Community consultation

As outlined above the purpose of this report is to recommend that a community consultation process be undertaken before Council decides whether to commence the section 178 process under the Act. This will provide the community with an 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. The public would have a further 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

At this stage the proposal is only to undertake public consultation. If the project ultimately proceeds there would be an opportunity for positive public relations by releasing surplus Council owned land to increase residential land supply for housing, in line with Council’s Statement of Commitment on Housing.

Recommendation:

That Council:

1. ENDORSE the commencement of investigations into the potential disposal of part of 318 Main Road, Glenorchy (CT 213876/1) by exclusive dealing to Homes Tasmania

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.

Attachments/Annexures

- 1** Homes Tasmania Expression of Interest



- 2** Disposal of Council Land Flowchart



ENVIRONMENT

Community Goal – Valuing our Environment

11. SUBMISSION ON DRAFT DEVELOPMENT ASSESSMENT PANEL (DAP) LUPAA AMENDMENT BILL 2025

Author: Coordinator Planning Services (Lyndal Byrne)

Qualified Person: Deputy Chief Executive Officer (Emilio Reale)
Chief Executive Officer (Tony McMullen)

ECM File Reference: Planning Reform

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Objective: We value our community by delivering positive experiences

Strategy: Work constructively with the development sector and our community to enable acceptable development opportunities.

Action: Support increased housing supply in the City through land release, proactive planning and advocacy.

Objective: We encourage responsible growth for our City.

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

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.

Reporting Brief:

To seek Council's endorsement of a submission to the State Planning Office on the revised Development Assessment Panel (DAP) *Land Use Planning and Approvals Act 1993* (LUPAA) Bill released on 26 February 2025.

Proposal in Detail:

Development Assessment Panels

On 21 July 2023, the Premier of Tasmania announced the development of new legislation to allow certain types of development applications to be determined by independent Development Assessment Panels (DAP), appointed by the Tasmanian Planning Commission. The intent was to create an alternate approval pathway outside of local councils' decision-making functions, with the State Government notoriously flagging that this would *'take the politics out of planning for more complex or contentious development applications'*.

In summary, the process is proposed to work like this:

- Certain planning permit applications would be eligible to be assessed under a development assessment panel process, at the behest of the applicant, the Council or the Minister for Planning.
- Applications would undergo initial assessment by a planning authority before being referred to a development assessment panel (DAP) appointed by the Tasmanian Planning Commission.
- The DAP would advertise the application, along with its draft assessment, consider comments, hold a hearing (if required) and then determine the application.
- There would be no appeal rights to the Tasmanian Civil and Administrative Tribunal on the merits of the application.
- Essentially, the end to end process is designed to expedite a decision through the planning process, removing decision-making power from planning authorities and minimising developers' holding costs by avoiding the time taken at planning appeal.

The Position Paper 2023

Council endorsed a submission on the Position Paper on a proposed DAP framework at its meeting of 27 November 2023, stating the following summary concerns:

- The proposed referral triggers are too broad and ambiguous resulting in politicisation of the planning process and system complexity.
- Non-mandatory referrals should be at the discretion of the planning authority, not the applicant.
- Removing appeal rights, delaying exhibition until a recommended decision has been made and introducing Ministerial intervention are not supported and would significantly undermine public confidence in the system and exacerbate controversy.
- The DAP process should align with the process for assessment of a discretionary application, not the process for a combined amendment and planning application. The proposed process is unnecessarily complex.
- The operation of the process from the various trigger points is ad hoc, unclear and not procedurally fair.

The Draft Bill 2024

A draft DAP Bill was released for consultation from 7 October to 12 November 2024. Council endorsed a submission on that draft Bill at its meeting on 28 October 2024.

Essentially, Council was critical of a lack of government response to its earlier expressed concerns.

Council officers maintain its previous concerns about the proposed DAP process and raised some new issues, including:

- The Minister's discretion to determine, on a case-by-case basis based on political matters, whether to refer an application to a DAP.
- The likely significant impacts on resourcing assessments and funding DAPS in terms of administration, assessment and enforcement.
- The extremely tight (and perhaps unrealistic) proposed timeframes for assessments, impacting further on resources.

At the Local Government of Association's General Meeting on 21 November 2024, the Bill was universally panned by the entire local government sector.

The Bill was subsequently voted down in the Legislative Council.

The State Government, through the Premier, rounded on critics of the Bill, including local government, and vowed to reintroduce the Bill in the new year.

The Revised 2025 Draft Bill

The Minister for Planning has now released a revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 (revised draft DAP Bill) for consultation from 26 February 2025 to 24 April 2025 (see **Attachment 1**) along with a Background Report (see **Attachment 2**).

Key changes in the revised Bill are:

- Removal of an applicant's ability to request transfer of an application to a DAP process partway through a council assessment process.
- Reduction in the subjective grounds upon which the Minister can refer a new application to a DAP (no longer if an application is 'controversial').
- Increasing the value thresholds for an application to be referred to a DAP from \$5 million to \$10 million in a city, and from \$2 million to \$5 million in other areas.
- Allowing the Commission to issue guidelines to assist the Minister in determining whether to refer an application to a DAP and a requirement for the Minister to take these guidelines into account when making that determination.
- Other changes relate to alternate dispute resolution techniques, modified hearing dates, substitute panel members and Heritage Council involvement in the process.

The revised DAP Bill eligibility criteria now includes:

- Applications for social and affordable housing made by, or on behalf of, Homes Tasmania or a registered community housing provider.
- Applications which are over a certain financial threshold (over \$10M if located in a city, \$5M if located elsewhere; or over \$1M if Council is the applicant and planning authority; or a class of application prescribed in the Regulations). (Note that draft Regulations were not included in the revised DAP Bill).
- Applications that are for development considered to be of significance to the local area or State.
- Applications where the planning authority or an applicant is of the view that the planning authority does not have the technical expertise to assess it.
- Applications where the planning authority has, or is perceived to have, a conflict of interest, or real or perceived bias whether for or against the proponent or the development.

Officer comments on the key changes to the revised DAP Bill are:

- Removal of the option for an applicant or planning authority to request the Minister to transfer an application to a DAP for determination partway through a council assessment process.

Officer comment: This change is supported.

- Modifying the criteria for when the Minister can refer a new application to a DAP for determination by removing the category where an application is likely to be 'controversial'.

Officer Comment: This is an improvement and is supported. However, the criteria still enable an applicant or proponent to request the Minister for a DAP if they perceive bias or a conflict of interest or believe the planning authority does not have the technical ability to assess and determine the application.

Council has procedures in place to deal with potential conflict of interests. Applications can be reallocated to other staff (or an independent planning consultant) for assessment, or members of the Glenorchy Planning Authority (GPA) can step out of meetings during decisions or request a proxy. Members of the GPA and Council staff are aware of Local Government Act 1993 and Code of Conduct requirements and receive training to ensure an absence of bias or prejudgement in decision making. No evidence has been provided by the State Government to demonstrate why this category for DAP referral is required.

- Increasing the value thresholds for an application to be referred to a DAP from \$5 million to \$10 million in a city, and from \$2 million to \$5 million in other areas.

Officer comment: The increase is noted; however, the value of developments is not a valid criterion. Development Assessment Panels should be available to planning authorities who need extra skill support. Further, large development applications are likely to have significant local impacts and therefore the decision should rest with the local planning authority.

- Allowing the Commission to issue guidelines to assist the Minister in determining whether to refer an application to a DAP and a requirement for the Minister to take these guidelines into account when making that determination.

Officer comment: While the requirement for guidance is supported, it is noted that Section 8A of LUPAA includes no indication of what the guidelines should include and that they, in turn are approved by the Minister.

Conclusion

After all is said and done, while the changes in the 2025 revised draft Bill are generally positive, they are minor in the context of the fundamental deficiencies in the statutory scheme for a DAP process, which remains fundamentally flawed for the following reasons:

Undue Ministerial interference in the Development Assessment Process

The draft Bill would still enable the Minister to review a decision of a planning authority not to prepare an LPS amendment.

The Minister can still decide to direct a planning permit application to a DAP process on subjective grounds (guidelines to be determined).

The ad-hoc process in proposed Section 60AD, allowing the Minister to interfere on a case-by-case basis based on political matters, perceived bias or conflicts of interest, or based on Guidelines or cases of applications that would be prescribed at some time in the future is not supported.

Compromised public involvement, contrary to the objectives of the Resource Management and Planning System of Tasmania to encourage public involvement in resource management and planning.

Removing appeal rights, delaying exhibition until a recommended decision has been made. These measures would significantly undermine public confidence in the planning system and exacerbate controversy.

It is not clear the new DAP process will be appropriately resourced

There will likely be significant impacts on resourcing assessments and, while yet unclear, it would seem unlikely planning authorities would not receive fees for such applications, yet would still be required to undertake significant assessment, administration and enforcement.

It is not clear the new DAP process is practicable in terms of its timeframes

While the Commission has been given opportunity to extend timeframes for assessments, the legislated timeframes remain extremely tight (and perhaps unrealistically achievable). Council hopes the DAPs will be sufficiently resourced to deal with such assessments noting Council's ability to respond to such timeframes will significantly impact resources.

A submission to the State Planning Office, detailing the above matters is included in **Attachment 3**.

Consultations:

Chief Executive Officer
Dept Chief Executive Officer, Director Infrastructure and Development
Manager Development

Human Resource / Financial and Risk Management Implications:

Financial

Review of the revised draft DAP Bill and responses on the next steps of this project will be managed within the Planning Services budget.

Human resources

Council officers would prepare Council reports on future steps/implications of the revised draft DAP Bill if it is approved.

Risk management

It is considered that there is no material risk to Council if it does not provide a response to the revised draft DAP. However, Council officers have identified concerns with the revised draft DAP Bill. Participation in these processes, and provision of responses to the State Government ensures our community's views are represented.

Community Consultation and Public Relations Implications:

Planning Matters Alliance held a recent community public meeting, ("Scrap the DAP") at the Moonah Arts Centre on 4 March 2025 and wrote to Council urging that it adopt the following three community motions:

Motion 1.

The meeting requests Glenorchy City Council to instigate community public meetings on their resident and ratepayer position on the proposed changes to planning appeal rights.

Moved: Vera Thomson

Seconded: George Burrows

Unanimously carried. Motion passed through show of hands

Motion 2.

The meeting calls upon the Glenorchy City Council to reject any removal of third-party planning appeal rights.

Moved: David Wanless

Seconded: George Burrows

Unanimously carried. Motion passed through show of hands

Motion 3.

As the Glenorchy City Council opposed the 2024 DAP Bill, this meeting urges the council to oppose the nearly identical *Draft LUPA Amendment (Development Assessment Panels) Bill 2025*

Moved: Bob Holderness-Roddam

Seconded: Kevin Robinson

While it is not recommended that Council hold a public meeting in relation to this issue, the submission recommended by Council is consistent with motions 2 and 3.

The revised draft DAP Bill was released for community consultation by the State Government.

Recommendation:

That Council:

1. MAKE a submission to the State Planning Office on the revised Land Use Planning and Approvals (Development Assessment Panel) Bill 2025 included in **Attachment 1**, in the form set out in **Attachment 3**.

Attachments/Annexures

- 1 Draft Revised Development Assessment Panel LUPAA Bill



- 2 Revised Development Assessment Panel Consultation Report



- 3 Submission on revised Draft DAP Bill.pdf



12. TASWATER WATER SUPPLY DURING BUSHFIRE AND OTHER EMERGENCIES

Author: Coordinator Executive and Strategy (Emma Watkins)

Qualified Person: Chief Executive Officer (Tony McMullen)

ECM File Reference: TasWater

Community Plan Reference:

Leading Our Community

We will be a progressive, positive community with strong council leadership.

Valuing Our Environment

We will value and enhance our natural 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: Build and maintain productive relationships with all levels of government, other councils, and peak bodies to achieve community outcomes.

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.

Reporting Brief:

This report responds to a resolution of Council at its 28 January meeting that Council request a report from TasWater as to how they ensure adequate water supply during bushfire and other emergency events to prevent shortages such as occurred in the recent Californian bushfires.

Proposal in Detail:

At the 28 January 2025 Council meeting, Council considered and endorsed the the updated *Glenorchy City Council Bushfire Mitigation Strategy 2020-2030* report following its first scheduled three-year review. During the debate, a question was raised about how TasWater manage water resources during bushfires and emergency events. Council resolved to request a report from TasWater as to how they ensure adequate water supply during bushfire and other emergency events to prevent shortages such as occurred in the recent Californian bushfires.

In response to the request, TasWater have provided the following information:

TasWater's water supply is a drinking water supply that provides support to the Tasmanian Fire Service (TFS) for structure fires but is not designed for use in fighting bushfires.

TFS is the lead organisation in the event of any bushfire and does not rely on TasWater's reticulated water supply for fighting bushfires. Additionally, no resident should ever assume that there will be a reliable supply of mains water with which they can fight a fire, as a continual supply of water cannot be guaranteed in an emergency situation. Bushfires can impact TasWater's infrastructure and other infrastructure – for example, power poles can burn and cut the power to pumping stations required to operate the drinking water supply.

TFS is best placed to answer questions around how they ensure adequate water supplies during bushfires. However, TasWater does work closely with TFS in such situations. It is worth noting that fire hydrants are installed for fighting potential structure fires (houses and other buildings in built-up areas), not for fighting bushfires.

However, in an emergency, TFS can and will access water from fire hydrants where appropriate, in addition to raw water storages and other sources. If required TFS would also use water from the River Derwent or seawater via high-flow pumps to ensure adequate supply of water for firefighting.

While TasWater has studied some of the lessons learned to date from the California fires and will continue to build its knowledge base, the scale of that event in terms of population involved (Greater Los Angeles has over 18 million people) largely makes it an unsuitable example for comparison with the challenges faced in Tasmania in terms of potential water consumption during emergencies.

TasWater has also recently received funding for disaster resilience that will allow it to focus on mitigating the risk associated with power failures to its infrastructure. This will involve introducing more fixed and mobile generators that will reduce the risk of our water network losing power during bushfires and other emergencies.

Consultations:

TasWater Community and Stakeholder Specialist
Tasmanian Fire Service via TasWater Community and Stakeholder Specialist
Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

Financial and Human resources

There are no financial or human resources implications resulting from this report.

Community Consultation and Public Relations Implications:

Community consultation

Consultation with TasWater has occurred, who have consulted with Tasmanian Fire Service to provide the relevant information.

Public relations

There are no public relations implications resulting from this report.

Recommendation:

That Council:

1. NOTE the information provided by TasWater set out in the body of this report relating to how it ensures adequate water supply during bushfire and other emergency events.

Attachments/Annexures

Nil.

GOVERNANCE

Community Goal – Leading our Community

13. FINANCIAL PERFORMANCE REPORT TO 28 FEBRUARY 2025

Author: Chief Financial Officer (Michael Sokulski)
Qualified Person: Director Community and 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:

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: 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 28 February 2025.

Proposal in Detail:

Financial Performance Report

Council's Financial Performance Report (Report) for the year-to-date ending 28 February 2025 is at **Attachment 1**.

The Report highlights Council's operating result as at the end of February is \$2.727 million better than budget. The favourable variance is the combined result of \$0.258 million more revenue than budget and \$2.469 million less expenditure than budget.

Executive Summary

A favourable operating result is reported at 28 February 2025.

The current budget includes the approved mid-year budget. The changes in the budget reflect new initiatives to be implemented by 30 June 2025. These initiatives deliver better services to the community whilst forecasting an operational budget surplus.

Revenue

Year-to-date operational revenue is \$70.024 million compared to budgeted revenue of \$69.766 million. This represents a favourable result of \$0.258 million or 0.4% against budget.

Revenue actual and forecast figures indicate a very stable position with no areas of concern identified. The main revenue contributor is Rates & Charges revenue which is showing a very minor negative variance of \$68,000 due to a relatively small number of successful revaluation objections. User Charges & Licences have returned a positive variance of \$144,000 and requires no remedial budget adjustments.

Expenditure

Year-to-date operational expenditure is \$46.318 million compared to budgeted expenditure of \$48.788 million. This represents a favourable result of \$2.469 million or 5.1% against budget.

Employee Expenses are showing savings of \$0.417 million due to ongoing vacancy rates. Materials & Services expenditure continues to fall short of budget expectations and makes up \$2.100 million of the broader expenditure underspend. Some of this is attributable to timing differences that have arisen since the budget was adopted including information technology costs, waste management contractors and public street lighting.

Non-operating – Capital Grant Revenue

Capital grant revenue is \$6.876 million against the annual \$14.376 million budget.

Projects being funded by capital grants include Glenorchy Pool, Northern Suburbs Football at KGV and North Chigwell, Benjafield Child Care, Playgrounds, Roads to Recovery, Blackspot / Vulnerable Road Users / Better Active Transport and Claremont Skate Park.

Non-operating – Monetary Contributions

Monetary contributions towards capital investments are \$19,000 against nil annual budget.

These are primarily tied to development permits which require the applicant to contribute to necessary capital works undertaken by Council.

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

Disposal of assets currently records an interim gain of \$0.675 million against an annual budget loss of \$1.375 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. There is also an allowance for derecognised assets where it is found the physical asset is no longer in accordance with the asset register.

Non-Operating – Contributions Non-Monetary Assets

No non-monetary assets have been received to date against an annual budget of \$3.675 million.

Typically, these are donated / gifted assets received from subdivisions and like 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 \$0.700 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 actual expenditure is \$16.687 million against the year-to-date budgeted expenditure of \$15.562 million. The annual budget approved by Council at the Mid-Year Budget Review is \$32.629 million. The year-to-date expenditure split is \$7.152 million for major projects and \$9.535 million for recurrent projects.

Project delivery for the capital works program is going well and has enjoyed the benefit of good weather conditions. Most of the major grant funded projects will be completed this financial year including the North Chigwell soccer project. Tolosa Park Stage A and all Federally funded playground projects are now complete. Both recurrent capital works and major projects budgets are on track to be fully expended by the end of this financial year.

Further Information

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

Consultations:

Chief Executive Officer

Chief Financial Officer

Executive Leadership Team

Officers responsible for Capital and Operational Budget reporting

Human Resource / Financial and Risk Management Implications:

The 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 risk management issues arise.

Risks associated with Council's financial expenditure and sustainability were managed through the process of 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 28 February 2025 as set out in **Attachment 1**.

Attachments/Annexures

- 1 Attachment 1 - Financial Performance Report to 28 February 2025



14. MAKING OF ANIMAL MANAGEMENT BY-LAW 2025

Author: Manager Contact and Guidance (Robbie Shafe)
Qualified Person: Director Community and Corporate Services (Tracey Ehrlich)
ECM File Reference: Laws and Enforcement

Community Plan Reference:

Building Image and Pride

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

Making lives better

We continue to be a safe, inclusive, active, healthy and vibrant 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
Strategies	Listen to our community to understand their needs and priorities. Champion and work together to address our community's needs and priorities

Reporting Brief:

That Council:

- consider the submission made on the proposed by-law
- resolve to make a by-law under Section 161 of the *Local Government Act 1993* for the purpose of facilitating the management of animals within the Glenorchy municipality. The By-law will incorporate the intent of the amendments provided in the submission received; and
- give its authority to affix its common seal to the relevant documents.

Proposal in Detail:

The current Animal Management By-Law has expired. Council officers have requested that the by-law be reinstated after review, to allow Council to effectively regulate ongoing management issues.

On 26 August 2024 the Council decided to commence the process of making a new by-law. Council requested that the by-law be known as the Animal Management By-Law. The Regulatory Impact Statement that accompanies the by-law was certified by the Director of Local Government on 25th October 2024.

The proposed by-law was advertised for public comment in the Mercury on Saturday, 30th November 2024.

19 further submissions were received from the public. The details are shown below in the “consultation” section.

Consultation with stakeholders, required a review of the draft *Animal Management By-Law (Draft By-Law)*, **Attachment 1** to this report which, is reviewed together with its accompanying Regulatory Impact Statement (**Draft RIS**). This forms **Attachment 2** to this report.

The objective of the by-law is to provide a mechanism, operating alongside the *Dog Control Act 2000*, *Cat Management Act 2009*, and *Local Government Act 1993*, which will enable Council to manage animals within the City of Glenorchy. In doing so Council will ensure that the residents of the community enjoy the benefits of animal ownership whilst at the same time ensuring that animals do not detract from the amenity of the community.

The by-law will achieve this objective by:

- Providing a permit system for the keeping of certain animals,
- Restricting the keeping of certain animals in specific areas,
- Providing a regulatory mechanism for the control, housing, keeping, and waste of animals,
- Acting to promote best practice animal husbandry, and
- Aligning with community expectations, and State Acts in the promotion of responsible animal ownership and management.

Council routinely receives numerous complaints about animals causing disturbances or posing threats to public safety, either through inadequate control or unsuitable housing arrangements.

Although the existing suite of legislation assists Council to regulate animals, none entirely address the concerns voiced by the community, or effectively empowers the management and control of such issues. The by-law is intended to fill that gap.

Consultations:

Preliminary Consultation

The Draft By-Law has undergone extensive preliminary consultation (both internal and external) during its development. This has included:

- internal discussions with officers from all relevant departments within Council
- reviews by Council's Senior Legal Counsel.
- invitations to key stakeholders (such as Tasmania Police) to provide preliminary feedback on the Draft By-Law.

The external parties consulted through this initial phase were:

- Australian Veterinary Association,
- Dogs Homes of Tasmania,
- RSPCA Tasmania,
- Southern Tasmanian Poultry Club Inc,
- Tasmanian Canine Defence League.

From this, only three submissions were received. They were predominantly concerns about the effects of some definitions, provided as marked up comments on the Draft By-Law.

Feedback received through this preliminary consultation was used to inform the creation of the Draft Animal Management By-Law that was sent out for wider public consultation.

Public Consultation

The Draft Animal Management By-Law and accompanying Regulatory Impact Statement (RIS) were made available for public comment from 30th November 2025, for 21 days, in line with Sections 157, 158 and 159 of the *Local Government Act 1993*, with a public notice published in the Mercury newspaper announcing this. Members of the public were invited to make submissions:

- Online via Council's Let's Talk engagement page,
- By email,
- By mail,
- In person at Council's chambers,
- Over the phone via Council's Customer Service Centre.

The Animal Management By-Law Let's Talk page was viewed 534 times, by 195 different visitors.

A copy of the Draft By-Law and RIS were also sent to the external parties consulted in the preliminary consultation for feedback.

A total of 19 submissions were received, 18 through the Let’s Talk page, and 1 via email.

The submissions received through this consultation were reviewed by Council officers and were used to inform the final Draft Animal Management By-Law, which forms **Attachment 1** of this report.

Details of all 19 submissions have been tabled in **Attachment 4** of this report.

Human Resource / Financial and Risk Management Implications:

Financial

The Animal Management By-Law provides for fines to be issued. Any fines will be directed back to the Council Department administering the by-law.

Human resources

There are no material human resources implications associated with adopting the new By-Law.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Risk has been treated through extensive internal consultation during development. Public expectations and any concerns will be managed through the consultation process.
Public dissatisfaction with the By-law’s provisions and impacts.				
Do not adopt the recommendation	Minor (C2)	Unlikely (L2)	Low	Council staff would continue to experience uncertainty as to the extent of their powers.
Management of animals would continue to be addressed in an ad-hoc manner with a lack of clarity for the community.				

Community Consultation and Public Relations Implications:

Extensive public consultation has been undertaken in accordance with the legislated requirements. This included public advertisements and direct requests to affected third parties.

Additionally, substantial consultation was undertaken with the State Government, Local Government Division.

Details of the submissions and feedback from the public received are contained in **Attachment 4**.

Public relations

Once approved by Council, the By-law will be advertised in the media to ensure community awareness of its provisions and will be placed on Council's website.

Recommendation:

That Council:

1. NOTE the public consultation submissions and the proposed alterations made to the recommended By-law as set out in **Attachments 2 and 4**.
2. RESOLVE, under section 161 of the *Local Government Act 1993* to make the *Animal Management By-law* in the amended terms in **Attachment 1**, for the purpose of facilitating the management of animals within the Glenorchy municipality.
3. AUTHORISE the affixation of the common seal to the relevant documents.

Attachments/Annexures

- 1 Glenorchy City Council Animal Management By-Law 2025
[⇒](#)
- 2 Glenorchy City Council Animal Management By-Law 2025 - Tracked
[⇒](#) Changes
- 3 Public Consultation Submissions
[⇒](#)

15. PROCUREMENT AND CONTRACTS EXEMPTION REPORT

Author: Deputy Chief Executive Officer (Emilio Reale)

Qualified Person: Deputy Chief Executive Officer (Emilio Reale)

ECM File Reference: Procurement

Community Plan Reference:

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 procurement and contract exemptions in accordance with Council's procurement reporting obligations.

Proposal in Detail:

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 – Procurement Reporting Requirements, 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 2015*, (Non-application of public tender process) the sub-regulation relied on for not calling for public tenders.

Sky Farm Road Works

In addition, the Code of Tenders and Contracts provides for the reporting of emergency exemptions approved by the Chief Executive Officer/General Manager under regulation 27(a) of the *Local Government (General) Regulations 2015*.

On 12 July 2024, sections of Sky Farm Road, where programmed works were being carried out, the road suffered a major failure. The road collapsed (landslide) to the point where it was not safe to continue with the works without significant remediation. There was a need to urgently complete the works due to the extent and significance of the failures that occurred placing the safety of residents, road users and the contractor's personnel, plant and equipment at immediate risk. There was insufficient time to invite tenders to do this work and there was a suitably qualified and equipped contractor already on site undertaking programmed works. The emergency, unprogrammed works were valued at \$270,000.

Whilst nearing completion of the emergency works, on 19 August 2024 another section of Sky Farm Road collapsed. This collapse was far more severe than the last collapse where half of the road had subsided down the cliff face. This collapse resulted in the loss of some of the contractor's earthmoving equipment and the road being unpassable with residents being completely cut off and isolated. No injuries to personnel occurred. The Chief Executive Officer was requested to exercise his emergency powers due to there being insufficient time to invite tenders for the goods or services required in that emergency. The Elected Members of Council were also briefed on the incident at a Council Workshop to ensure they were aware of the collapse. The cost of this reconstruction/remedial works was \$390,559. All works associated with the collapses have been completed and signed off by a Geotechnical Engineer. The total cost of emergency remedial works for both sections of Sky Farm Road is \$660, 559.

The exemption has been approved by the Chief Executive Officer.

Consultations:

Deputy Chief Executive Officer
Director Community and Corporate Services
Manager Assets, Engineering and Infrastructure
Manager Works
Manager Governance and Risk
Workplace Health and Safety Advisors
Fleet, Workshop and Store Coordinator
Procurement and Contracts Coordinator

Human Resource / Financial and Risk Management Implications:

Financial

This report documents both emergency events that triggered expenditure. The first event \$270,000 and the second \$390,559 excl. GST, funded from Council's capital works program.

Human resources

There are no 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 broadly undertaken to minimise the attraction of onlookers coming to the site. Information of the road closures was shared with all affected residents, emergency services and telecommunication tower owners. There are no material public relations implications.

>

Recommendation:

That Council:

1. NOTE the exemption approved by the Chief Executive Officer for both sections of Sky Farm Road emergency works. The emergency works expenditure totals \$660,559.00 excl. GST.

Attachments/Annexures

Nil.

16. UPDATED ELECTED MEMBER CODE OF CONDUCT

Author: Manager Governance and Risk (Michael Jacques)
Qualified Person: Director Community and Corporate Services (Tracey Ehrlich)
ECM File Reference: Governance

Community Plan Reference:

Leading Our Community

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

Strategic or Annual Plan Reference:

Objective: Govern in the best interests of our community.
Strategy: Maximise regulatory compliance in Council and the community through our systems and processes.
Action: Communicate effectively with our community and stakeholders about what Council is doing

Reporting Brief:

As previously advised by the Director of Local Government, the Council's Elected Member Code of Conduct has been replaced by a uniform Tasmanian Code of Conduct prescribed by legislation.

Proposal in Detail:

On 10 October 2024, the *Local Government (Code of Conduct) Order 2024* took effect. This Order prescribed a uniform Code of Conduct for all Tasmanian councillors. Now, only the Minister has the power to make a Code of Conduct for Elected Members (Section 28R *Local Government Act 1993*).

Prior to the Minister's Order, councils around the State were required to adopt their Codes of Conduct individually as council policies. Glenorchy City Council had its own such policy. Council's Senior Legal Counsel advises that the previous Code of Conduct does not need to be formally withdrawn as it has already been made redundant by the operation of legislation. Nevertheless, the policy still technically exists and it is proposed, out of an abundance of caution, to formally rescind it. The previous Code of Conduct policy has already been removed from the Council website at the request of the Code of Conduct Panel Executive Officer.

The Code of Conduct is similar to the prior Code of Conduct, dealing with similar themes such as decision-making, conflicts of interest, gifts and benefits, use of office, use of resources, confidentiality, relationships with other stakeholders, reputation of the Council and other matters.

The former Code of Conduct provided more guidance material and statements of principles. Its appendices also provided information on the complaints process. This information is now being provided by the State Government (Department of Premier and Cabinet - DPAC).

Where it is perceived by Council that further policy statements are required the Council may still issue policies and other guidance material in relation to the conduct of Elected Members. These will only have persuasive effect and cannot form the basis of a formal Code of Conduct complaint.

As the Statement of Expectations does not create obligations in the nature of Code of Conduct breaches, it does not overlap with the current legislation and does not need to be rescinded or amended.

Consultations:

The legislative amendment was made after significant lobbying by Local Government Association of Tasmania (LGAT) and had been ongoing for several years. An Elected Member Briefing Report was circulated on 21 December 2021 after preliminary materials were circulated by the Minister. The General Manager made officer level submissions to LGAT on behalf of the Council on 3 August 2022.

The new Code of Conduct has been reviewed by the Senior Legal Counsel and Executive Leadership Team.

Human Resource / Financial and Risk Management Implications:

Nil

Community Consultation and Public Relations Implications:

Extensive consultation has been undertaken on this issue by the State Government. There are no public relations implications.

Recommendation:

That Council:

1. RECEIVE and NOTE the attached report on the new Code of Conduct.
2. RESCIND the Glenorchy City Council Code of Conduct Policy as it has been made redundant by the introduction of a statewide Code of Conduct by Ministerial Order.

Attachments/Annexures

- 1 New Code of Conduct



17. LOCAL GOVERNMENT LEGISLATIVE CHANGES

Author: Coordinator Executive and Strategy (Emma Watkins)

Qualified Person: Chief Executive Officer (Tony McMullen)

ECM File Reference: Local Government Act

Community Plan Reference

Leading Our Community

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

The communities of Glenorchy will be confident that 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: Build and maintain productive relationships with all levels of government, other councils, and peak bodies to achieve community outcomes for Glenorchy and Greater Hobart.

Action: Where appropriate, actively support the implementation of the future of local government review outcomes in the interest of the Glenorchy community.

Reporting Brief:

To recommend that Council endorse a submission to the State Government on the Local Government Elections Bill and endorse the consultation survey answers for the remaking of the Local Government (Meeting Procedures) Regulations and the Local Government (General) Regulations.

Proposal in Detail:

Future of Local Government Review

In late 2021, the State Government commissioned the Local Government Board (the Board) to undertake a Future of Local Government Review (FOLGR) with the aim of creating a more robust and capable system of local government, for the benefit of all Tasmanians. The Review has been underway since early 2022.

The Board produced four reports:

- Interim Report, June 2022
- Options Paper, December 2022
- Stage 2 Interim Report, March 2023
- Final Report, October 2023

All of the Board's reports and documents are available at:
<https://www.futurelocal.tas.gov.au/>

In November 2024, in response to the Board's Final Report, the State Government released a Local Government Priority Reform Program 2024-26 (the Program). The Program includes five priorities:

1. Lifting standards of professionalism, conduct, and integrity: Enhancing governance frameworks and promoting ethical conduct within councils to build public trust and confidence.
2. Driving a high-performing, transparent, and accountable sector: Improving transparency, accountability, and performance across the local government sector through better oversight and reporting mechanisms.
3. Improving local democracy and representation: Strengthening democratic processes and ensuring fair representation within councils to reflect the diverse interests of communities.
4. Supporting council financial sustainability: Ensuring councils are financially viable and can sustainably manage resources to meet current and future community needs.
5. Supporting council and community-led structural reform: Facilitating structural reforms driven by councils and communities to improve service delivery and operational efficiency.

Council endorsed a submission in relation to the Priority Reform Program at its meeting on 24 February 2025. The submission largely expressed support for the proposed reforms, while noting that a number of proposed reform recommendations from the Future of Local Government Review had not been brought forward.

One of the priority reforms, under "Improving local democracy and representation" was a new Local Government Electoral Bill. The State Government released a discussion paper (**Attachment 1**) on the development of that Bill.

The State Government also released a discussion paper (**Attachment 2**) on the remaking of the Local Government (General) Regulations 2015 and Local Government (Meeting Procedures) Regulations 2015 (Regulations).

The State Government is seeking feedback on both. Elected Members participated in a Council workshop on 17 March 2025 where their views on the current suite of reforms were sought. Those views have been incorporated with Officer feedback to form the Submission (**Attachment 3**) and Survey Responses (**Attachment 4**).

Feedback Summary

Overall, Council is supportive of a new Electoral Bill and the reforms to the Regulations. There are some areas Council would like to see strengthen, altered, or not pursued.

Electoral Bill

Council supports the development of a stand-alone Elections Bill as a logical next step to support the future of local government elections in Tasmania. The proposed format is more flexible and will future proof the running of efficient and high-quality local government elections, to the extent that it is possible to do so.

The tightening of donation disclosures, advertising requirements, and improvement of access to candidate information is well supported.

Council has concerns about changes to the eligibility to be an elector and the proposed removal of direct election for deputy mayor.

The Regulations

Council is supportive of the proposed amendments to the Regulations.

Introducing the ability for Elected Members to attend remotely is strongly supported provided the appropriate checks and balances are in place. Allowing remote attendance to Council meetings was a longstanding request of the late Alderman Jan Dunsby. Alderman Dunsby was not able to attend a number Council meetings while impacted by illness. If the provision had been in place at the time, she undoubtedly would have utilised it. Although she was physically unable to attend, her drive and passion to participate in her elected role was as strong as ever. Council respectfully requests that the Government consider an acknowledgement to Alderman Dunsby when the reform is finalised.

Council supports improvements to Elected Member leave provisions, and requests that they are further broadened.

The proposed introduction of audiovisual recordings, changed to the minutes, and changes to the management of questions and motions are also supported with some technical feedback provided.

Consultations:

Elected Members
Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

No material human resources or financial implications result from this report.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
<p>Adopt the recommendation</p> <p>Submissions are ineffectual.</p>	Minor (C2)	Possible (L3)	Medium (6)	Redouble efforts to maximise influence in the implementation of the reform areas
<p>Do not adopt the recommendation</p> <p>Council fails to make submissions and loses an opportunity to provide input on the current proposals.</p>	Minor (C2)	Possible (L3)	Medium (6)	

Community Consultation and Public Relations Implications:

Community consultation

The State Government intends to release the draft Elections bill for broader community consultation in May 2025.

Recommendation:

That Council:

1. MAKE a submission to the Minister for Local Government in response to an invitation to comment on the Discussion Paper on a Local Government Electoral Bill in the terms set out in **Attachment 3**.
2. PROVIDE feedback on the proposed changes to the *Local Government (General) Regulations* and the *Local Government (Meeting Procedures) Regulations* in the form of survey responses set out in **Attachment 4**.

Attachments/Annexures

- 1 Discussion Paper Local Government Electoral Bill
⇒
- 2 Discussion Paper - Local Government Regulations - Local Government Regulations and Local Government (Meeting Procedures) Regulations remake 2025
⇒
- 3 Draft Comments on LG Electoral Bill
⇒
- 4 Draft Comments on Proposed Changes to the Local Government Meeting Procedures and General Regulations
⇒

18. NOMINATIONS FOR GENERAL MANAGEMENT COMMITTEE OF LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT)

Author: Coordinator Executive and Strategy (Emma Watkins)

Qualified Person: Chief Executive Officer (Tony McMullen)

ECM File Reference: LGAT

City of Glenorchy Community Plan 2015 - 2040

Leading Our Community

Transparent and accountable government

Strategic or Annual Plan Reference:

Leading Our Community

Objective: Build strong relationships to deliver our communities' goals

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

Reporting Brief:

To seek nominations, if desired, of an eligible Elected Member for the following Local Government Association of Tasmania (LGAT) positions:

- President of LGAT; and/or
- member of the General Management Committee.

Proposal in Detail:

The Tasmanian Electoral Commissioner has invited nominations for President of LGAT and for membership of the Local Government Association of Tasmania (LGAT) General Management Committee (GMC). Nominations close on Wednesday, 7 May 2025 at 12 noon.

If Council wishes, under the LGAT rules, it may nominate a candidate for LGAT President.

If Council wishes, under the LGAT rules, it may make a single nomination for a GMC member.

The nominees do not need to be the same person.

In both cases, the person nominated may be a Glenorchy City Council Elected Member or an Elected Member from Clarence City Council or Kingborough Council. The Lord Mayor of Hobart has an ex officio position on the GMC.

The nomination invitation letter from the Tasmanian Electoral Commissioner is **Attachment 1**.

About LGAT

The Local Government Association of Tasmania is the voice of Local Government to other spheres of government, stakeholders and the wider community.

LGAT has been the peak body for Local Government in Tasmania for over 100 years and is part of a national network of associations. It is funded by councils and earns other income through projects delivered on behalf of Local Government, services to members and sponsorships.

LGAT provides specialist services to its member councils including policy and strategic support, capacity building for Local Government elected members and officers and procurement of goods and services. LGAT also coordinates the Tasmanian Local Government Awards for Excellence and the LGAT Annual Conference.

LGAT works collaboratively with members to support council staff and elected members. The communities our 29 councils serve are represented by 263 elected members and supported by nearly 4,000 staff.

General Management Committee

The election to the GMC is governed by the LGAT Rules, which are **Attachment 2**.

Apart for the Lord Mayor, who has an 'as of right' position on the GMC, all positions, including the President, will be vacant. The President is elected at large by all Member councils. The six other members are elected by their electoral districts and population grouping.

The Term of Office is two years. The circumstances in which a position becomes vacant are set out in rule 21(d) of the LGAT rules, including that a member ceases to be an Elected Member. Accordingly, the term of membership could continue for the full two years if Council's nominee is re-elected at the next Local Government elections, due in October 2026.

The rules most relevant to the GMC election, with summary comments are:

17. Function of the General Management Committee

The functions of the GMC include performance review/appointment of the CEO, providing strategic direction, providing for the good management and administration of the Association and nominating representatives to the ALGA Board.

18. Composition of the General Management Committee

The General Management Committee is made up of:

- (i) the President;

- (ii) provided the Hobart City Council is a current Member, the Lord Mayor of the Hobart City Council or his or her proxy; and
- (iii) six members to be elected, as provided in Rule 18(b), from the three electoral districts.

For each electoral district, one candidate is elected from councils with a population of 20,000 or more and one from councils with a population of less than 20,000.

19. Electoral districts for the purpose of electing members to General Management Committee

These districts correspond to the three local government regions as set out in the Local Government Act, with Glenorchy City Council located in the Southern electoral district.

20. Conduct of elections for membership to the General Management Committee

The Electoral Commissioner of Tasmania as returning officer asks for nominations from members within the 3 electoral districts.

Each Member is entitled to make only one nomination and if more than one is received all nominations from that Member will be null and void.

In making a nomination, a Member is not restricted to nominating an elected member from its own Council provided that the nomination is for an elected member from a Member Council in the same electoral district and the same Population category as the nominating Member.

When a President is elected, a recount is held to backfill his or her GMC position from the same electoral district and population category.

25. President

- (a) The President shall be a Councillor or Alderman of a Member Council.
- (b) The functions of the President are to:
 - (i) chair Meetings of the Association and the General Management Committee;
 - (ii) be the spokesperson of the Association;
 - (iii) provide leadership and direction in furthering the objects of the Association.

The President is elected for a two-year term.

Nominations are called. If there is only one nomination, the candidate is elected unopposed. If there is more than one candidate, the Electoral Commissioner conducts a postal ballot of Member Councils to determine the successful candidate.

Timeframes for 2025 GMC Election

The schedule of dates applying to the GMC election is as follows:

- Nominations Open: Monday, 24 February 2025
- Nominations Close: 12 noon Wednesday 7 May 2025
- Ballot Material posted: Monday, 12 May 2025
(If a ballot is required)
- Close of Postal Ballot: 10.00am Thursday, 14 July 2025
- Declaration of the Result: Thursday, 25 July 2025

Committee Nominations and Appointments Policy

Council’s Committee Nominations and Appointments Policy is applicable to this process. It states: *This policy applies to all nominations and appointments to committees and external bodies, other than the appointment of independent persons to Council’s Audit Panel (the procedure for which is as set out in the Audit Panel Charter).* The Committee Nominations and Appointments Policy is at **Attachment 3**.

Notice to Elected Members

In accordance with the Policy, a Notice was circulated to Elected Members on 18 March 2025 calling for nominations. A copy of the notice is at **Attachment 4** to this report.

Elected Members attended a Council Workshop on 24 March to discuss the process for nominating an Elected Member to the GMC.

The closing date for nominations was 6.00pm Tuesday, 25 March 2025.

Details of the nominations received are as follows:

Committee / Body	Council nominations Available	No. of nominees	Ballot Required?	Nominees	Automatic Appointments
LGAT General Management Committee	1	2	No	Ald. Shane Alderton Ald. Tim Marks	Lord Mayor

Nominee	Statement of Nomination
Ald. Shane Alderton	<p>I am seeking your endorsement to contest the election to become a member of the Local Government Association General Management Committee to represent the City of Glenorchy.</p> <p>If elected I will be a strong spokesman for Council and our Community providing support for Good Management and Strategic Direction. State Governments in this day and age are cost shifting responsibility of more and more services onto councils without providing the appropriate support, resources and funding to deliver these services as an elected member of this committee I will be raising these concerns and looking for ways we can advocate for better resourcing outcomes.</p>
Ald. Tim Marks	<p>Hi iam interested in running for the lgat nominations for either president or member.</p> <p>A little about me i have volunteered in some capacity in Tasmania for 50 years i have also been on a lot of boards namely Paraquad physical disability Australia and im the president of the Tasmanian amputee society im a member of speak out Tasmania im on disability tas and disability voices tas im a member of the human library i am also a qualified carer by trade and am also qualified mental health Councilor im also on the Glenorchy access committee and i think i have a lot of experience to bring to this roll thankyou</p>

A copy of the LGAT GMC nomination form is at **Attachment 5** to this report.

Consultations:

Elected Members
Executive Leadership Group

Human Resource / Financial and Risk Management Implications:

Financial

There are no material financial implications.

Human resources

There are no material human resources implications.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
Adopt the recommendation Council decides not to nominate candidates for President and/or GMC member of LGAT.	Insignificant (C1)	Possible (L3)	Low	Maintain an effective working relationship with GMC representatives from other Councils.
Do not adopt the recommendation Council loses the opportunity to nominate a candidate for the General Management Committee and or Presidency of LGAT.	Minor (C2)	Almost Certain (L5)	Moderate	Defer the decision to the April Ordinary Council meeting and reconsider adopting the recommendation.

Community Consultation and Public Relations Implications:Community consultation

No community consultation was undertaken as the nomination process is considered an internal matter for Council.

Public relations

The GMC election process is an external process, independently conducted by the Tasmanian Electoral Commission. The announcement of election results will be a matter for the TEC and LGAT with Council's support.

Recommendation:

That Council:

1. DECIDE whether to nominate an eligible Elected Member to a position on the General Management Committee of the Local Government Association of Tasmania.
2. If Council decides to nominate an Elected Member to a position on the General Management Committee, CONDUCT a ballot in accordance with the procedure in Part 3 of the *Committee Nominations and Appointments Policy* to determine the one Glenorchy City Council nominee to the General Management Committee of the Local Government Association of Tasmania.
3. If a ballot is conducted, ELECT and NOMINATE (the member-elect) to the one position as the Glenorchy City Council nominee to the General Management Committee of the Local Government Association of Tasmania.
4. DECIDE whether to nominate an eligible Elected Member for the position of President of the Local Government Association of Tasmania.
5. If Council decides to nominate an Elected Member for the position of President of the Local Government Association of Tasmania, NOMINATE NAME as the Glenorchy City Council nominee.

Attachments/Annexures

- 1 Tasmanian Electoral Commission Invitation to Nominate Letter
[⇒](#)
- 2 LGAT Rules
[⇒](#)
- 3 Committee Nominations and Appointments Policy 2024
[⇒](#)
- 4 Call for Nominations LGAT GMC
[⇒](#)
- 5 Local Government Association Nomination Form
[⇒](#)

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

CLOSED TO MEMBERS OF THE PUBLIC

20. CONFIRMATION OF MINUTES (CLOSED MEETING)

That the minutes of the Council Meeting(Closed Meeting) held on 24 February 2025 be confirmed.

21. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

Community Goal – Leading our Community

22. ACQUISITION OF CHANGING PLACES FACILITY - REQUEST FOR EXEMPTION FROM THE REQUIREMENT TO INVITE TENDERS

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal).

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