

**Minutes of the Meeting
of the Glenorchy City Council
held at the Council Chambers
on Monday, 21st June 2010 at 6.00 p.m.**



Present:

Aldermen A. Taylor (Mayor), J. Branch, S. King, R.K. Lowrie, C. Lucas, L. Martin, H. Nielsen, D. Pearce, P.W. Ridler, S.E. Slade, M. Stevenson and R. Vervaart.

In attendance:

Mr. F. Pearce (General Manager), Mr. T. Jones (Manager – Governance and Performance), Ms. L. Bannister (Minutes Secretary), Mr. A. Lawrence (Manager – City Assets), Mr. G. French (Manager – Environment, Planning and Development), Ms. S. Buckland (Manager – Corporate Services), Mr. R. Curley (Acting Manager – Works and Services), Ms. N. Calphy (Manager – Community Development), Mrs. J. King (Mayoral and Executive Support Officer), Mr. J. Jury (Economic Development Co-ordinator), Mr. J. Munnings (Human Resources Co-ordinator), Ms. K. Williams (Co-ordinator Planning Services), Ms. C. Usher (Corporate Accountant), Ms. T. Townsend (Revenue Co-ordinator), Mr. M. Whiteley (Budget and Reporting Officer), Ms. A. Moore (Traffic Engineer), Mr. S. Rigby (City Inspector), Ms. A. Schultz (Finance Officer Customer Service) and Mrs. K. Johnston (Customer Service Officer).

**Workshops held since
last Council Meeting**

Date: Monday, 7th June 2010

Purpose: To discuss:

- Metro
- Presentation on Overview of Gunns Ltd.
- Southern Integrated Transport Plan and Urban Passenger Transport Framework

The meeting was opened with prayer by Rev. L. Batchelor.

1. APOLOGIES

None.

2. CONFIRMATION OF MINUTES

Resolution:

PEARCE/RIDLER

That the minutes of the Council Meeting held on Monday, 24th May 2010 be confirmed.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

3. ANNOUNCEMENTS BY THE CHAIR

None.

4. PECUNIARY INTEREST NOTIFICATION

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

Alderman King declared a pecuniary interest in Item 21.

Alderman Martin declared a pecuniary interest in Item 21.

Alderman Stevenson declared a pecuniary interest in Item 21.

Alderman Taylor declared a pecuniary interest in Item 21.

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

6. PUBLIC QUESTION TIME (15 MINUTES)

None.

7. PETITIONS/DEPUTATIONS

A Petition signed by 25 signatories was tabled by the General Manager requesting the following action:

“Following the successful Super Tuesday Bicycle Count on March 2nd 2010 in Hobart, Glenorchy, Kingborough and Clarence conducted by 60 volunteers co-ordinated by Bicycle Victoria, we hereby call on the Councils to commit annual funding to this important data collection program to measure cycling numbers in these local government areas”.

COMMUNITY LEADERSHIP & PARTICIPATION

8. GLENORCHY COMMUNITY FUND ADVISORY COMMITTEE - COUNCIL REPRESENTATION

File Reference: Glenorchy Community Purse

Reporting Brief:

To consider nominations from Aldermen for appointment to the Glenorchy Community Fund Advisory Committee.

Resolution:

LUCAS/KING

That a ballot be conducted to appoint an Alderman to the Glenorchy Community Fund Advisory Committee.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

Resolution:

VERVAART/LUCAS

That Alderman Pearce be appointed to the Glenorchy Community Fund Advisory Committee.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

INFRASTRUCTURE

9. SOUTHERN INTEGRATED TRANSPORT PLAN

File Reference: Southern Integrated Transport Plan

Reporting Brief:

The purpose of this report is to:

- Present to Council the final draft of the Southern Integrated Transport Plan (SITP) and the associated Action Plan for approval.
- Seek the Council's endorsement of a process to resolve any impediments to final acceptance of the SITP by the Southern Tasmanian Council's Association.
- Seek nominations from Aldermen to join the resolution committee as described in *Attachment 1*.

Resolution:

BRANCH/LUCAS

That Council:

1. Approve the final draft of the Southern Integrated Transport Plan (and associated Action Plan) subject to final acceptance by the STCA board and resolution of the following conditions and comments:
 - The lack of an Executive Summary.
 - The assumption of business as usual (the plan describes the qualities of the transport system but does not indicate a direction for the future).
 - There is no mention of passenger rail on the rail corridor despite a feasibility study of the Northern Suburbs Passenger Rail proposal being a pre-election promise of the three political parties.
 - No reference to a vulnerability strategy for all critical transport infrastructure.
 - DIER being the lead agency on most actions in the Action Plan, but are they sufficiently resourced to progress this?
 - Ensuring that the Southern Regional Land Use Framework (SRLUF), currently being prepared and the Southern Integrated Transport Plan (SITP) are truly integrated and consistent by making the SITP interim until the SRLUF is finalised.
2. Agree to the regional resolution process (proposed by the STCA) for resolving any impediments to final acceptance identified by Council following its consideration of the Southern Integrated Transport Plan (and associated Action Plan).
3. Nominate an Alderman to be on the STCA committee for resolution on any outstanding issues.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

ENVIRONMENT

10. SUBMISSION ON DRAFT STATE COASTAL POLICY 2008

File Reference: State Coastal Policy

Reporting Brief:

To provide Aldermen with an update on the review of the State Coastal Policy and to amend the relevant Council Policy with a reference to this review.

Resolution:

VERVAART/PEARCE

That the report of the Co-ordinator Planning Services be received and that Council provide a representation to the Tasmanian Planning Commission that outlines the issues and concerns about the draft State Coastal Policy 2008 in the form of the **Attached** submission.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

ORGANISATION

11. ELECTION RECOUNT - DECLARATION OF OFFICE

File Reference: Election 2009

Reporting Brief:

To acknowledge the declaration of office of the successful candidate in the 2009 Glenorchy City Council Election recount following the death of Deputy Mayor Jim Manson.

Resolution:

PEARCE/KING

That Council acknowledge that MATT STEVENSON elected to the position of Alderman of Glenorchy City Council has completed the Declaration of Office as required by the *Local Government Act 1993*.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST: The motion was CARRIED.

12. ELECTION OF DEPUTY MAYOR

File Reference: Election

Reporting Brief:

To elect a Deputy Mayor.

Resolution:

LOWRIE/BRANCH

That Alderman Taylor being an Alderman who is not a candidate for the office of Deputy Mayor, be appointed to preside at the meeting for the period of the ballot.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

Resolution:

BRANCH/LOWRIE

That candidates be allocated 2 minutes to address Council.

The motion was put.

FOR: Aldermen Branch, Lowrie and Lucas.

AGAINST: Aldermen Martin, Nielsen, Ridler, Stevenson, Taylor, King, Slade, Vervaart and Pearce.

The motion was LOST.

BALLOT RESULTS**Ballot 1:**

Candidate	Vote	Result
Branch	2	
King	0	Draw 3
Lowrie	2	
Lucas	5	
Nielsen	3	
Ridler	0	Draw 4
Slade	0	Draw 2
Vervaart	0	Draw 1 – EXCLUDED

Ballot 2:

Candidate	Vote	Result
Branch	1	
King	0	Draw 2
Lowrie	2	
Lucas	5	
Nielsen	4	
Ridler	0	Draw 3
Slade	0	Draw 1 - EXCLUDED

Ballot 3:

Candidate	Vote	Result
Branch	1	
King	1	
Lowrie	2	
Lucas	5	
Nielsen	3	
Ridler	0	EXCLUDED

Ballot 4:

Candidate	Vote	Result
Branch	1	
King	0	EXCLUDED
Lowrie	2	
Lucas	5	
Nielsen	4	

Ballot 5:

Candidate	Vote	Result
Branch	0	EXCLUDED
Lowrie	2	
Lucas	6	
Nielsen	4	

Ballot 6:

Candidate	Vote	Result
Lowrie	1	EXCLUDED
Lucas	6	
Nielsen	5	

Ballot 7:

Candidate	Vote	Result
Lucas	7	ELECTED
Nielsen	5	

The General Manager announced that Alderman Christine Lucas was elected to the position of Deputy Mayor.

13. MONTHLY FINANCIAL PERFORMANCE STATISTICS

File Reference: Traffic Lights

Reporting Brief:

To present the financial performance statistics as at the end of May 2010 for Aldermen's information.

Resolution:

BRANCH/VERVAART

That the information provided by the Monthly Financial Performance Statistics for May 2010 be accepted.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

14. OPERATING BUDGET 2010/11 AND RATES AND CHARGES FOR THE YEAR ENDED 30 JUNE 2011

File Reference: ANNUAL BUDGET 2010/2011

Reporting Brief:

To enable the Glenorchy City Council (GCC) to approve:

- The 2010/2011 Glenorchy City Council Budget;
- The adoption of a revised Ratings Policy;
- The Rates and Charges that will be levied for the year ended 30 June 2011; and
- The Glenorchy City Council Fees and Charges Register (**Attachment D**).

Resolution:

MARTIN/PEARCE

Glenorchy City Council approves the following items:

1. That the Glenorchy City Council (here referred to as the “**Council**”) 2010/2011 Budget (**Attachment A**) be adopted; and
2. That the Glenorchy City Council – Schedule of Fees and Charges 2010/11 - GCC (**Attachment D**) be adopted; and
3. That Council endorse the following policy with a review period of three years:
Policy 05-2 - Rate Revenue Policy (**Attachment C**)
4. The monthly financial performance reports continue to compare the budgeted revenue and expenditure to the actual revenue and expenditure at the department level; and
5. That pursuant to section 89A of the *Local Government Act, 1993* (here referred to as the “**Act**”), values under the *Valuation of Land Act, 2001* be used as a basis of rates; and
6. That pursuant to Section 90(1) of the Act, for the period of 12 months commencing on 1 July 2010 and ending on 30 June 2011 inclusive (here referred to as the “**financial year**”), the Council makes a general rate of 8.3777 cents in the dollar on the assessed annual value (here referred to as the “**AAV**”) of all rateable land in the municipal area of Glenorchy and is calculated as follows:
 - a. 8.3213 cents in the dollar for general revenue; and
 - b. 0.0564 cents in the dollar for future municipal revaluation fees.and

7. That pursuant to Section 90(4) of the Act, for the financial year the Council sets the minimum amount payable in respect of the general rate at \$118.63;
and

8. That pursuant to Section 93A of the Act, Council makes for the financial year the following service rate in respect of *fire protection* upon the assessed value of all rateable land shown on the valuation roll or assessment roll prepared under the *Valuation of land Act, 2001* as follows:

- a. 1.4232 cents in the dollar for the Council’s contribution to the State Fire Commission for land that is situated within the urban fire district subject to a minimum contribution for each parcel of land of \$34.00; and
- b. 0.3369 cents in the dollar for the Council’s contribution to the state Fire Commission for land that is situated outside the urban fire district subject to a minimum contribution for each parcel of land of \$34.00.

and

9. That pursuant to Section 94(1) of the Act, Council makes a waste management service charge for services provided by Council upon rateable land within the Municipal area of Glenorchy for the financial year:

- a. A service charge for *waste management* based on capacity provided and frequency of collection in relation to each property to which the Council provides a *mobile recycling bin* service as detailed below:

\$121.40	140 litre weekly collection;
\$208.10	240 litre weekly collection;
\$60.70	140 litre fortnightly collection ; and
\$104.20	240 litre fortnightly collection.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax does not apply on any of the above services.

and

- b. A service charge for *waste management* based on capacity provided and frequency of collection in relation to each property to which the Council provides a *mobile garbage bin* service as detailed below:

\$107.40	140 litre weekly collection;
\$184.00	240 litre weekly collection;
\$53.70	140 litre fortnightly collection; and
\$92.10	240 litre fortnightly collection.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax does not apply on any of the above services.

and, for multiple dwellings within one property:

- c. A service charge for *waste management* based on capacity provided and frequency of collection in relation to each dwelling located within a property to which the Council provides a *mobile bin* service as detailed below:

\$60.70	weekly collection for recycling bins; and
\$53.70	weekly collection for garbage bins.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax does not apply on any of the above services.

and

10. That pursuant to Section 94(1) of the Act, for services provided by Council on all land in the Glenorchy municipal area in relation to which an on-site waste water management system (as defined by section 3 *Building Act 2000*) the Council makes an on-site waste water management system service charge for the financial year as detailed below:

\$650.90	Ozzi Kleen;
\$642.70	Super Treat;
\$671.60	Envirocycle / Bio Cycle / Septech, and any other on-site waste water management system not specifically listed by Council.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax does not apply on any of the above services.

11. That pursuant to Section 94(3) of the Local Government Act 1993, makes a service charge for the financial year for any or all the services specified in section 93 of the Act of **\$154.63** for land used exclusively as a place of religion or worship.
12. A one off penalty of 10% shall apply to unpaid instalments plus daily interest at the **maximum** prescribed percentage under Section 128 of the *Local Government Act 1993*.
13. As permitted by section 129(4) of the Local Government Act 1993 no penalty or interest shall apply during the period 1 August 2010 to 1 April 2011 where payment is made by Direct Debit and there are no arrears owing.
14. Rates levied in accordance with this resolution are payable to the Council by two (2) equal instalments,
- (a) the first by 16th August 2010
 - (b) the second by 1st February 2011

Alderman Stevenson left the meeting at 7.18 p.m.

Alderman Stevenson returned to the meeting at 7.19 p.m.

Alderman Martin left the meeting at 7.24 p.m.

Alderman Martin returned to the meeting at 7.26 p.m.

The motion was put.

FOR: Aldermen Martin, Nielsen, Lowrie, Stevenson, Taylor, Lucas, King and Pearce.

AGAINST: Aldermen Branch, Ridler, Slade and Vervaart.

The motion was CARRIED BY ABSOLUTE MAJORITY.

Resolution:

MARTIN/NIELSEN

VARIATIONS TO RATES AND CHARGES – DIFFERENTIAL RATING

15. That the Glenorchy City Council (here referred to as the “Council”) makes variations to the general rate, service rates and service charges under the Local Government Act 1993 (here referred to as the “Act”) for the period of 12 months commencing on 1 July 2010 and ending on 30 June 2011 inclusive (here referred to as the “**financial year**”), in respect to land in the municipal area of Glenorchy which is separately valued under the Valuation of Land Act 2001; and

Variations to the General Rate

16. That pursuant to Section 107 of the Act, Council makes variations to the general rate for the financial year for land within the municipal area according to use of the land or the non-use of the land as follows:
- a. in respect to land used for primary production (which means land used wholly or predominantly for primary production purposes, and includes all land coded ‘L’ in the valuation list), the general rate is varied by decreasing it by 0.9039 cents to 7.47380 cents in the dollar on the assessed annual value (here referred to as the “**AAV**”) of the land and is calculated as follows:
 - i. 7.4174 cents in the dollar for general revenue; and
 - ii. 0.0564 cents in the dollar for future municipal revaluation fees.
 - b. in respect to land used for quarrying or mining (means all land used wholly or predominantly for quarrying or mining and includes all land coded ‘Q’ in the valuation list), the general rate is varied by decreasing it by 0.9039 cents to 7.47380 cents in the dollar of the AAV of the land and is calculated as follows:
 - i. 7.4174 cents in the dollar for general revenue; and
 - ii. 0.0564 cents in the dollar for future municipal revaluation fees

- c. in respect to land used for residential purposes (means all land used wholly or predominantly for residential purposes and includes all land coded 'R' in the valuation list), the general rate is varied by decreasing it by 0.9039 cents to 7.47380 cents in the dollar of the AAV of the land and is calculated as follows:
 - i. 7.4174 cents in the dollar for general revenue; and
 - ii. 0.0564 cents in the dollar for future municipal revaluation fees
- d. in respect to land used as sporting or recreation facilities (means all land used wholly or predominantly for sporting or recreation facilities and includes all land coded 'S' in the valuation list), the general rate is varied by decreasing it by 0.9039 cents to 7.47380 cents in the dollar of the AAV of the land and is calculated as follows:
 - i. 7.4174 cents in the dollar for general revenue; and
 - ii. 0.0564 cents in the dollar for future municipal revaluation fees
- e. in respect to non-used land (means all land coded 'V' in the valuation list), the general rate is varied by decreasing it by 0.9039 cents to 7.47380 cents in the dollar of the AAV of the land and is calculated as follows:
 - i. 7.4174 cents in the dollar for general revenue; and
 - ii. 0.0564 cents in the dollar for future municipal revaluation fees

Variations to the Waste Management Service Charge

- 17. That pursuant to Section 94(3) of the Act, Council makes variations to the waste management service charge for the financial year, within the Glenorchy municipal area or within different parts of the Glenorchy municipal area according to the use of land as follows:
 - a. in respect to land used for commercial purposes or land used for industrial purposes (which means land used wholly or predominantly for commercial purposes or industrial purposes, and includes all land coded 'C' or 'I' in the valuation list), where a *mobile recycling bin* service has been provided by Council, the waste management service charge is varied to:

\$211.00	140 litre weekly collection;
\$345.00	240 litre weekly collection;
\$105.60	140 litre fortnightly collection; and
\$172.20	240 litre fortnightly collection.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax may be levied on any of the above services.

and

- b. in respect to land used for commercial purposes or land used for industrial purposes, where a *mobile garbage bin* service has been provided by Council, the waste management service charge is varied to:

\$186.80	140 litre weekly collection;
\$320.00	240 litre weekly collection;
\$93.40	140 litre fortnightly collection; and
\$160.20	240 litre fortnightly collection.

Pursuant to *Goods and Services Tax Act 1999*, a Goods and Service Tax may be levied on any of the above services.

The motion was put.

FOR: Aldermen Martin, Nielsen, Taylor, Slade and Pearce.

AGAINST: Aldermen Branch, Lowrie, Ridler, Stevenson, Lucas, King and Vervaart.

The motion was LOST.

Alderman Ridler left the meeting at 8.07 p.m.

15. MINOR AMENDMENTS - WATER AND SEWERAGE CORPORATIONS LEGISLATION

File Reference: Water and Sewerage Reform

Reporting Brief:

To consider several minor amendments that have been proposed to the *Water and Sewerage Corporations Act 2008*.

Resolution:

SLADE/VERVAART

That LGAT be advised that:

1. Council has no objection to the proposed amendments to sections 37(1) and 37(3) of the *Water and Sewerage Corporations Act 2008*; and
2. Council is of the view that it is important for the selection committee to continue to include a person with water and sewerage expertise and therefore does not support the proposed amendment to section 20 of the *Water and Sewerage Corporations Act 2008*.

Alderman Ridler returned to the meeting at 8.08 p.m.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

16. REVIEW OF CODE OF CONDUCT PROVISIONS

File Reference: Code of Conduct

Reporting Brief:

To provide comment to the Local Government Association of Tasmania regarding a review of the Code of Conduct and related provisions.

Resolution:

BRANCH/PEARCE

That Council's response to LGAT in relation to the Regulations and other provisions relating to the Code of Conduct for Aldermen be as outlined in this report.

The motion was put.

FOR: Aldermen Martin, Nielsen, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST: Alderman Branch.

The motion was CARRIED.

17. STRATEGIC PLAN 2010-2015

File Reference: Strategic Plan

Reporting Brief:

To seek Council's endorsement of the Draft Strategic Plan 2010-2015 as being ready to go out for public consultation.

Resolution:

SLADE/KING

That the draft Strategic Plan 2010-2015 be approved by Council for public consultation.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

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

None.

Resolution:

PEARCE/VERVAART

That the meeting be closed to the public to allow discussion of matters that are described in paragraph 15 of the Local Government (Meeting Procedures) Regulations 2005 and Section 22K of Local Government (General) Regulations 2005.

The motion was put.

FOR: Aldermen Martin, Nielsen, Branch, Lowrie, Ridler, Stevenson, Taylor, Lucas, King, Slade, Vervaart and Pearce.

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

19. APPLICATIONS FOR LEAVE OF ABSENCE

INFRASTRUCTURE

20. ILLEGAL CUSTOMER PARKING

This item is to be considered at a closed meeting of Council by authority of the Local Government (Meeting Procedures) Regulations 2005 Section 15(2)(c).

Aldermen King, Martin, Stevenson and Taylor declared a pecuniary interest in the following item and left the meeting 8.17 p.m.

Alderman Lucas took the Chair.

ORGANISATION

21. EXEMPTION FOR CHARITABLE PROPERTIES

This item is to be considered at a closed meeting of Council by authority of the Local Government (Meeting Procedures) Regulations 2005 Section 15(2)(j).

Aldermen Martin, King, Stevenson and Taylor returned to the meeting at 8.28 p.m.

Alderman Taylor resumed the Chair.

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

The meeting closed at 8.29 p.m.

Confirmed,

CHAIRMAN