
5. PUBLIC MEETING: REPAIR AND REOPEN THE GLENORCHY WAR MEMORIAL POOL

Author: Coordinator Executive and Strategy (Emma Watkins)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: Glenorchy War Memorial Pool

Community Plan Reference:

Community Plan 2015-2040

Leading our community

Provide a safe city with quality open space and community and recreation facilities and services for all age groups.

Strategic or Annual Plan Reference:

Strategic Plan 2023 - 2032

Objective 4.1 We are a leader and partner that acts with integrity and upholds our community's best interests.

Strategy 4.1.1 Listen to our community to understand their needs and priorities.

Strategy 4.1.4 Make informed decisions that are open and transparent and in the best interests of our community.

Objective 4.2 We responsibly manage our community's resources to deliver what matters most.

Strategy 4.2.1 Manage the City's assets responsibly for the long-term benefit and growth of the community.

Strategy 4.2.2 Deploy the Council's resources effectively to deliver value while being financially responsible.

Strategy 4.2.3 Manage compliance and risk in Council and the community through effective systems and processes.

Annual Plan 2023/4 to 2026/7

Leading our community

Action 4.2.1.2 Manage Council's property, parks and recreation infrastructure and facilities sustainably for the benefit of the community by implementing asset management plans that maintain or replace facilities as they reach the end of their useful lives.

Action 4.2.2.3 Investigate options and advocate for pool upgrades, redevelopment or alternative options that promote the community's health and wellbeing.

Action 4.2.4.1 Implement the WHS Development Framework to support staff in delivering services in a safe workplace that complies with workplace health and safety obligations.

Valuing our environment

Action 5.2.3.6 Investigate the future of the Glenorchy War Memorial Pool, including redevelopment or alternative options that promote the community's health and wellbeing.

Reporting Brief:

For Council to note the minutes from the public meeting held on 17 March 2024 (the Meeting) in relation to the Glenorchy War Memorial Pool, and to consider the motions carried at the Meeting.

Proposal in Detail:

Background

On 29 January, community member Ms Janiece Bryan submitted a petition to Council. The petition stated:

Petition to Glenorchy City Council

We the undersigned, hereby request that Council

- 1. Urgently repair and re-open the Glenorchy War Memorial Pool*
- 2. Hold a public meeting to address the pool related concerns*

Under s. 59 of the *Local Government Act 1993* (the Act), a council must hold a public meeting if the petition complies with s. 57 and is signed by whichever is the lesser of 5% of the electors, or 1000 electors. At the 2022 local government elections, Glenorchy had 33,504 persons enrolled to vote. Therefore, in this case, the petition needed to contain a minimum of 1,000 electors to require a public meeting. The petition was verified to have met the threshold, and therefore Council was required to hold Meeting to discuss the subject matter of the petition.

At its 26 February 2024 meeting, Council determined to hold a public meeting (the Meeting) on 27 March 2024, at 6.00pm, in the Jack Rough room at KGV, 1A Anfield Street, Glenorchy.

On 18 March 2024, Elected Members participated in a workshop to discuss the proposed Meeting arrangements, and on 27 March 2024, the Meeting was held.

Facilitator

The meeting was facilitated by an external facilitator. Adrian Smith of CorComms was engaged due to his experience and expertise in managing complex and sensitive engagements. He is also a Glenorchy resident, has been a ratepayer for over 20 years, and spent his school years as a club swimmer, so has a good understanding of the Glenorchy swimming community. The facilitator met with Council officers,

Elected Members, and conducted phone catch ups with community members in advance of the meeting. This allowed for information to be shared and the Meeting to be tailored to meet the needs of all parties.

Meeting materials

The following materials are attached for consideration:

- summary of submissions created for attendees (Attachment 1);
- Pool FAQs available at the meeting (Attachment 2);
- Councils responses to all questions received in advance (Attachment 3)
- Meeting agenda (Attachment 4);
- Minutes from the Meeting (Attachment 5) comprising a summary of verbal submissions, questions asked, and motions moved at the Meeting; and
- A summary of each public resolution and a Council officer's appraisal of these resolutions

The Council's administration of the meeting complies with the requirements of Section 59 of the *Local Government Act 1993*.

Summary of Public motions

The Council is now required by Section 60A(5) of the *Local Government Act 1993* to record in its minutes, a summary of the submissions received and any decisions made at this public meeting. These decisions are not binding on Council.

Council officers have reviewed the decisions and conclude that they demonstrate that the attendees have a passionate commitment to the reopening of the Glenorchy pool, and show that considerable effort has been put into these contributions.

Council officers submit that the recommended resolutions will reasonably address the concerns raised.

Consideration of Motions

Motion 1

Moved: Janiece Bryan

Seconded: Mala Crew

That Council:

1. Make the immediate repair of the pool site their major priority, and
2. Commit to immediately research and produce quality submissions for state and federal funding for an upgraded public aquatic facility at the current Anfield Street site, and
3. Immediately apply to the State government for the promised \$5 million finding to urgently commence repairs to the pool, and
4. Commit to providing regular monthly reports on this project at Council meetings.

Motion Carried

Officer Advice:

Item 1

Council resolved at its Council Meeting of 26 February 2024 that:

“In light of the bipartisan election commitments of \$5m funding, DIRECT the General Manager to identify priority works required and start planning to safely repair and reopen the Glenorchy War Memorial Pool, while long-term solutions are being explored.”

Item 2

Council has engaged MI Global Partners to undertake a study into the long-term future of the pool site, including cost benefit analysis and business case preparation of the preferred option. This process will be critical to supporting any potential funding submissions and needs to be completed prior to further funding submissions.

Item 3

Council has been engaging with the new State Government at a senior level in order to confirm funding and arrange a grant deed for the \$5M election commitment to repair and reopen the pool.

Item 4

The pool repair process may take up to two years to complete, and long-term redevelopment options could, if funded, take a decade to be realised. Council will continue to provide the community with updates as and when relevant information comes to light and/or as significant progress is made. At a minimum, this will be provided in the quarterly capital works reports to Council, standalone Council reports as needed, and updates on significant matters on the Council website.

As the MI Global project progresses, monthly updates will be provided to Council and community. A communication plan is currently being developed to support the delivery of timely and clear project updates.

Motion 2

Moved: Nicole Vout

Seconded: Cathy Williams

That Council:

1. Make all Council workshops open to the community and ratepayers for observation.

Motion Carried

Officer Advice:

Generally, Council workshop materials are prepared for the purpose of briefing Elected Members and generating discussion that serves as background on matters coming to a Council meeting for decision. Workshops are not decision-making forums and are not a meeting of Council as defined in the *Local Government Act 1993*. Workshops are not compulsory and are not governed by the same requirements which

apply to Council meetings. In the majority of cases, inputs to workshop briefings become attachments to, or text within, a published Council meeting agenda.

Motion 3

Moved: Leeanne Rose

Seconded: Deanne Gillie

That Council:

1. Immediately after MI Global submit their recommendation, lobby the State Government for funding for a state-of-the-art facility to be run and managed by a management team with wisdom to make the pool more viable.

Motion Carried

Officer Advice:

Council has engaged MI Global Partners to undertake a study into the long-term future of the pool site, including cost benefit analysis and business case preparation of the preferred option. This process will be critical to supporting any potential funding submissions. Once this process is complete, Council will consider the outcome and will prepare an advocacy plan which will include lobbying the State and Federal governments. The \$5 million election promise will extend the life of the pool for another 5+ years. It defers the requirement for redevelopment and provides an opportunity to complete the MI Global process and develop and implement the advocacy plan.

Once a new facility is developed, Council will be required to tender for the management of the facility, in line with its Code for Tenders and Contracts.

Motion 4

Moved: Leeanne Rose, on behalf of Bradley McDougall

Seconded: Nicole Vout

That Council:

1. Require Elected Members intending to nominate for positions outside of their Council position will not prepare on council time, and
2. Require Elected Members nominating for political positions outside of their Council position to resign their current position in its entirety before nominating.

Motion Carried

Officer Advice:

If an Elected Member is standing for State of federal election, they are not required under the *Local Government Act 1993* to stand down from their position on Council during election period.

However, at the July 2018 Local Government Association of Tasmania (LGAT) General Meeting, the following resolution was supported:

That LGAT pursue legislative changes which would:

1. *Require a councillor who is standing for State or Federal Parliament to take a leave of absence from Council for the period between issuing of the writ and declaration of the poll.*

This resolution has been raised with the Tasmanian Government during the recent review of the *Local Government Act 1993*. However, no legislative changes have been proposed at this time.

During this Council term, two Elected Members have taken a leave of absence to campaign for election at the State level.

Motion 5

Moved: Sally Hill

Seconded: Tracey Smith

That Council:

1. Be upfront and honest about the minimum amount of works required to open the pool, including the costs for the minimum viable repairs and the timeframe for the works.

Motion carried

Officer Advice:

Council has released all reports it has regarding pool works required and potential costs, including the Lacus report that is available on the Council website: www.gcc.tas.gov.au/discover-glenorchy/venues-and-facilities/glenorchy-pool/.

Council has previously released the cost estimates for works required to repair the pool being between \$1.3M to \$5.1M, depending on the scale of works undertaken. Council has also previously advised a timeframe of approximately two years is required to undertake the works. Given the \$5M State Government funding commitment is at the upper end of the estimate, there is reasonable confidence there will be sufficient funds to undertake the required works.

Council has contracted Lacus to define the scope of the priority repair works to be undertaken within the \$5M budget, in preparation for receiving the funding. As the MI Global project progressed, monthly updates will be provided to Council and community. A communication plan is currently being developed to support the delivery of timely and clear project updates.

Motion 6

Moved: Mala Crew

Seconded: Leeanne Rose

That Council:

1. Maintain our facilities responsibly using local Tasmanian contractors, and
2. Investigate sustainable options for the future of the pool.

Motion Carried

Officer Advice:

Item 1

Council is bound by its Procurement Policy and the Code of Tenders and Contracts. The Code allows for consideration of Tasmanian businesses to enhance the capabilities of local business and industry. However, this does not guarantee that a Tasmanian business will be awarded a project. The tender process must also consider other factors such as price and experience/capability.

Item 2

Through the MI Global project, Council is investigating sustainable options in both the pool repair works and any longer-term redevelopment of the site e.g. modern heat pumps and solar power for the heating system.

Motion 7

Moved: Lisa Rime

Seconded: Sally Hill

That Council:

1. Does not hold any meetings about the pool in secret or any closed meetings regarding the pool, and
2. Does not hold any meetings about the pool where certain Councillors or Aldermen are not included.

Motion Carried

Officer Advice:

Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* provides for meetings to be closed to the public in certain circumstances, for example when considering a matter that is commercial in confidence. Council will not hold Closed Council Meetings unless in accordance with those regulations.

All decisions regarding the pool have been held in open Council, except for the selection of the winning tenderer to conduct the community engagement and options analysis project. This decision was made public immediately following that meeting.

All Elected Members are invited to each and every Council workshop and Council meeting.

Motion 8

Moved: Nicole Vout

Seconded: Angela Strk

That the attendees at this public meeting:

1. Have no confidence in this Council.

Motion Carried

Officer Advice:

The motion is noted.

Motion 9

Moved: Janiece Bryan

Seconded: Leeanne Rose

That Council:

1. Complete concrete analysis asap to determine the life expectancy of the pool.

Motion Carried

Officer Advice:

The core holes for the hydrostatic relief valves in the floor of the pool that were discussed at the Public Meeting have since been drilled and the cores have been retained for potential concrete analysis, if deemed necessary.

Council has received the following advice from Marcus Lightfoot (author of the Lacus report) on 8 April 2024 following a recent inspection of the pool whilst it is empty:

“Typically, concrete testing of the pool shells includes chloride penetration profiling and carbonation testing, as these are the two main mechanisms in which concrete will degrade over time. Both of which will ultimately lead to the corrosion of the steel reinforcement, which will result in cracking and spalling of the concrete. Once the concrete begins to spall, the maintenance costs begin to rise dramatically. In a well-maintained pool, it is usually the top of the pool walls that will degrade quickest. This is due to the wetting and drying of the concrete surface, which will lead to a buildup of chloride ions on the top of the wall, which will be able to migrate through the pool tiling and into the concrete structure.

Testing of the concrete will usually involve taking samples from site in the form of concrete cores and/or dust samples, which are sent to a NATA registered laboratory for testing. The results are reviewed by an engineer experienced in this field who will use the laboratory results to determine the health of the concrete structure which can then be used to determine the expected lift left in the structure.

The testing of the pool shell can become very expensive. The cost depends on how many cores are taken and how much laboratory work is required. Based on what we have seen on site, the pool shell is generally in good condition based on a visual appraisal, as it is not showing cracking, spalling, or rust stains. There has been some work done previously to the top of the pool wall and the scum gutter, which was likely to address issues associated with the degradation of the concrete. Testing of the concrete may confirm this, however, if the proposed repair/remediation works include the removal of this section of the wall, then the testing in this location would be a poor use of available funding. Once the proposed works for the site have been agreed, a cost benefit analysis can be undertaken to determine if concrete testing of the pool structure is worthwhile, and any proposed testing can be aligned with the project to yield the maximum benefit.”

In short, the expert advice from Lacus Consulting is to wait until the full scope of the repair/remediation works are known before deciding on whether or not to undertake concrete testing.

Consultations:

Elected Members
Executive Leadership Team
Manager, Property, Environment & Waste
Senior Legal Counsel & Governance Coordinator

Human Resource / Financial and Risk Management Implications:

Financial

No material financial considerations

Human resources

The organisation of the public meeting was undertaken within existing Council resources, with some reprioritisation.

Risk management

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
<p>Adopt the recommendation</p> <p>Council complies with the <i>Local Government Act 1993</i> requirements for dealing with a petition, holding of a public meeting, submissions made to a public meeting, and decisions arising from the public meeting.</p>	Moderate (C3)	Unlikely (L2)	Medium	The requirements are complied with, and relevant administrative arrangements are made.
<p>Do not adopt the recommendation</p> <p>Council does not comply with the <i>Local Government Act 1993</i> and suffers reputational damage and compliance risk.</p>	Moderate (C3)	Almost certain (L5)	High	N/A

Community Consultation and Public Relations Implications:

Community consultation

The minutes of the Meeting will be provided to MI Global, who have been contracted to undertake community engagement in relation to the Glenorchy War

Memorial Pool Site, to ensure that they are aware of outcomes from the public meeting.

Public relations

This matter is of public interest and all decisions and information will be made available on Council's website.

Recommendation:

That Council:

1. RECEIVE and NOTE the summary of submissions received in relation to the public meeting held in relation to the Glenorchy War Memorial Pool on 27 March 2024 ("the public meeting") at Attachment 1.
2. RECEIVE and NOTE the questions received in advance of the public meeting and the answers provided to those questions at Attachment 3.
3. RECEIVE and NOTE the minutes of the public meeting at Attachment 5.
4. RECEIVE and NOTE Motion 1 put by Janiece Bryan and passed by a majority of participants present at the public meeting, that Council:
 - A. Make the immediate repair of the pool site their major priority, and
 - B. Commit to immediately research and produce quality submissions for state and federal funding for an upgraded public aquatic facility at the current Anfield Street site, and
 - C. Immediately apply to the State government for the promised \$5 million finding to urgently commence repairs to the pool, and
 - D. Commit to providing regular monthly reports on this project at Council meetings.
5. REITERATE Council's resolution of 26 February 2024, namely: *in light of the bipartisan election commitments of \$5m funding, DIRECT the General Manager to identify priority works required and start planning to safely repair and reopen the Glenorchy War Memorial Pool, while long-term solutions are being explored.*
6. NOTE that the current MI Global project will involve the preparation of a detailed business case for the future of the Anfield Street site, informed by community engagement.
7. NOTE that a letter signed by all Elected Members was sent to the State Premier and Minister for Sport and Events on 23 April 2024, seeking confirmation of the timing of the funding deed.
8. RECEIVE and NOTE Motion 2 put by Nicole Vout and passed by a majority of participants present at the public meeting, that Council:
 - A. Make all Council workshops open to the community and ratepayers for observation.

9. MAINTAIN the current practice of holding Council workshops closed to the public.
10. RECEIVE and NOTE Motion 3 put by Leeanne Rose and passed by a majority of participants present at the public meeting, that Council:
 - A. Immediately after MI Global submit their recommendation, lobby the State Government for funding for a state-of-the-art facility to be run and managed by a management team with wisdom to make the pool more viable
11. CONTINUE to focus on completing the MI Global study into the long-term future of the pool site and CONSIDER advocacy options to most effectively promote the funding of a new facility.
12. RECEIVE and NOTE Motion 4 put by Leeanne Rose on behalf of Bradley McDougall and passed by a majority of participants present at the public meeting, that Council:
 - A. Require Elected Members intending to nominate for positions outside of their council position will not prepare on council time, and
 - B. Require Elected Members nominating for political positions outside of their council position to resign their current position in its entirety before nominating.
13. NOTE that the propositions in Motion 4 are legislative matters for the Tasmanian Parliament.
14. RECEIVE and NOTE Motion 5 put by Sally Hill and passed by a majority of participants present at the public meeting, that Council:
 - A. Be upfront and honest about the minimum amount of works required to open the pool, including the costs for the minimum viable repairs and the timeframe for the works.
15. CONTINUE to provide timely and relevant information to the community about the works required to open the pool, including the costs and timeframe for the works.
16. RECEIVE and NOTE Motion 6 put by Mala Crew and passed by a majority of participants present at the public meeting, that Council:
 - A. Maintain our facilities responsibly using local Tasmanian contractors, and
 - B. Investigate sustainable options for the future of the pool.
17. NOTE that while the Council's Code for Tenders and Contracts supports Tasmanian businesses to enhance the capabilities of local business and industry, procurement provisions must consider other criteria such as price and experience/capability.
18. NOTE that the MI Global project brief includes consideration of sustainable options in both the pool repair works and any longer-term redevelopment of the site.

19. RECEIVE and NOTE Motion 7 put by Lisa Rime and passed by a majority of participants present at the public meeting, that Council:
 - A. Does not hold any meetings about the pool in secret or any closed meetings regarding the pool, and
 - B. Does not hold any meetings about the pool where certain Councillors or Aldermen are not included.
20. NOTE that all Council meetings to date involving the Glenorchy pool have been held in open Council, with the exception of the selection of the successful tenderer for the Pool Redevelopment and Alternative Options Project, which was appropriately held in closed Council.
21. CONTINUE to conduct Council meetings and workshops with appropriate governance, including compliance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015* which governs the conduct of closed meetings.
22. NOTE that all Elected Members are invited to each and every Council meeting and Council workshop.
23. RECEIVE and NOTE Motion 8 put by Nicole Vout and passed by a majority of participants present at the public meeting, that attendees at this public meeting have no confidence in this Council.
24. RECEIVE and NOTE Motion 9 put by Janiece Bryan and passed by a majority of participants present at the public meeting, that Council:
 - A. Complete concrete analysis asap to determine the life expectancy of the pool.
25. Based on the expert advice, CONSIDER the need and benefit of concrete testing once the full scope of the pool repair/remediation works are known, in accordance with the recent advice from Lacus Consulting received 8 April 2024.

Attachments/Annexures

- 1 Summary of Submissions
- 2 Glenorchy War Memorial Pool FAQs
- 3 Summary of Questions and Answers
- 4 Public Meeting Agenda
- 5 Public Meeting Minutes