

Minutes of the Meeting of the Glenorchy City Council held at the Council Chambers on Monday, 9 July 2018 at 6.00 p.m.



Present: Aldermen K. Johnston (Mayor), M. Stevenson (Deputy Mayor), M. Carlton, J. Dunsby, S. Fraser, S. King, G. Richardson and B. Thomas.

In attendance: Mr. T. Ross (Acting General Manager), Mr. S. Scott (Acting Director Corporate Governance), Mr. D. Ronaldson (Acting Director Community, Economic Development and Business), Mr. P. Garnsey (Acting Director Environment and Planning), Mr. B. Richardson (Acting Chief Financial Officer), Mr. S. Wicks (KGV Legal Advisor), Ms. E. Richardson (Casual Customer Service/Administration Officer) and Mrs. J. King (Mayoral and Executive Support Officer).
Mr. R. Curtis (Abetz-Curtis Lawyers)

Nine (9) members of the public attended the open part of the Council meeting.

The Chair opened the meeting at 6.03 p.m.

The Chair read the following two statements:

Statement 1

In relation to the Audio Recording of the Council Meeting under Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* and Council's 'Audio Recording of Council Meetings' Policy.

Statement 2

In relation to Work Health and Safety at the Council meeting.

The Chair acknowledged and paid respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of the land.

1. APOLOGIES

Aldermen Bull and Sims.

2. PECUNIARY INTEREST NOTIFICATION

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

No interests were declared.

COMMUNITY

3. DISPOSAL OF LAND AND UNSOLICITED OFFER TO PURCHASE - DERWENT ENTERTAINMENT CENTRE

File Reference: Derwent Entertainment Centre Proposals

Reporting Brief:

Council has recently received an unsolicited approach to purchase the Derwent Entertainment Centre.

In this report, Council is not being asked to make a decision about acceptance of the unsolicited approach.

This report recommends that Council form an intention under section 178 of the *Local Government Act 1993* (**the Act**) to (potentially) sell the Derwent Entertainment Centre and surrounding land comprised in Certificate of Title Volume 110871 Folio 1 and the business operations as a going concern (subject to conditions regarding access as summarised in this report).

Resolution:

THOMAS/DUNSBY

That Council:

1. NOTE that Council has recently received an unsolicited proposal (on conditions) by Hydraplay Pty Ltd A.C.N 159 602 721 as trustee for the Hickey Family Trust to consider a sale of the Derwent Entertainment Centre including the business operations and assets and the land and building to it
2. FORM an intention under section 178 of the *Local Government Act 1993* (the Act) to dispose of public land, namely the Derwent Entertainment Centre, at 601 Brooker Highway Glenorchy, more particularly comprised in Certificate of Title Volume 110871 Folio 1 (and to sell the business operations as a going concern), subject to satisfactory resolution of the ongoing security of legal and permanent access referred to earlier in this report
3. AUTHORISE the General Manager to take all actions necessary to complete public notification of Council's intent to dispose of the land in accordance with section 178 of the Act, and
4. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.

Amendment:

STEVENSON/FRASER

That the motion include the following at the end of paragraph 2:

- (a) In doing so, Council welcomes expressions of interest in the purchase of the DEC during the Section 178 consultation process.

The amendment was put.

FOR: Aldermen Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

The amendment became part of the motion.

Amended motion:

That Council:

1. NOTE that Council has recently received an unsolicited proposal (on conditions) by Hydraplay Pty Ltd A.C.N 159 602 721 as trustee for the Hickey Family Trust to consider a sale of the Derwent Entertainment Centre including the business operations and assets and the land and building to it
2. FORM an intention under section 178 of the *Local Government Act 1993* (the Act) to dispose of public land, namely the Derwent Entertainment Centre, at 601 Brooker Highway Glenorchy, more particularly comprised in Certificate of Title Volume 110871 Folio 1 (and to sell the business operations as a going concern), subject to satisfactory resolution of the ongoing security of legal and permanent access referred to earlier in this report.
 - (a) In doing so, Council welcomes expressions of interest in the purchase of the DEC during the Section 178 consultation process.
3. AUTHORISE the General Manager to take all actions necessary to complete public notification of Council's intent to dispose of the land in accordance with section 178 of the Act, and
4. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.

The amended motion was put.

FOR: Aldermen Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

Resolution:

KING/DUNSBY

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

The motion was put.

FOR: Aldermen Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

CLOSED TO MEMBERS OF THE PUBLIC

COMMUNITY

4. UNSOLICITED OFFER - DERWENT ENTERTAINMENT CENTRE

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)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret), 15 (2)(f) (Proposals for the Council to acquire land or an interest in land or for the disposal of land and 15 (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.)

File Reference: Derwent Entertainment Centre Proposals

GOVERNANCE

5. KGV TENANCY MATTER

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)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret,) 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential) and 15(2)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council.)

File Reference: Revive

The meeting closed at 8:27 p.m.

Confirmed,

CHAIRMAN